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PUBLIC GENERAL LAWS PASSED BY GENERAL ASSEMBLY OF MARYLAND, JANUARY SESSION, 1906.

CHAPTER 449.

An Act to repeal Section 131 to 140, both inclusive, of Article 56, of the Code of Public General Laws of Maryland, known as the Code of 1904, title 'License,' sub-title 'Motor vehicles," and re-enact the same with amendments, and add an additional section thereto, to be known as section 139 A, such additional section to follow section 139, of said Article.

Section 1—Be it enacted by the General Assembly of Maryland, That section 131 to 140, both inclusive, of Article 56, of the Code of Public General Laws of Maryland, known as the Code of 1904, title 'License,' sub-title Motor Vehicles,' be and the same are hereby repealed and re-enacted , and that additional section to be known as section 139 A, is hereby enacted, the same to follow section 139, the whole to read as follows:

131—Every resident of this State, who is the owner of a mortor vehicle, and every non-resident owner whose motor vehicle shall be driven in this State, except as herein otherwise provided, shall file in the office of the Secretary of State at Annapolis, a declaration duly verified by affidavit made before a Notary Public, of this or any other State, that such owner, or the person who is to operate the same, is competent to drive the motor vehicle for which application for license is made, and a written statement containing the name and address of such owner, together with a brief description of the character of such motor vechicle including the name and make, and the manufacturer's number of the motor vehicle, if number there be, and the rated horsepower of such motor vehicle, and shall pay to the Secretary of State a registration fee of three dollars for each motor vehicle, one dollar of which fee shall be retained by the Secretary of State for his services in issuing the license, and the remaining two dollars shall be paid to the State Treasurer for the use of the State Road Fund. The Secretary of State shall issue for each motor vehicle so registered, a certificate, properly numbered, stating that such motor vehicle, is registered in accordance with this section, and shall cause the name of the owner, with his address, the number of his certificate, and a description of such motor vehicle or motor vehicles to be entered in alphabetical order of the owners, name in a book to be kept forsuch purpose; this section not to apply to manufacturers of motor vehicles except as to vehicles kept by such manufacturers for private use or for hire.

132—The owners of each and every motor vehicle and every other person driving the same upon the public streets ,public roads, turnpike, parks, highways, Public driveways or other Public highways in this State, shall have the registration number issued aforesaid by the Secretary of State upon the back and front of every such motor vehicle, fixed stationary in a conspicuous place, so as to be plainly visible at all times during daylight, such numbers o be separate Articles numerals not less than three inches in height, the strokes to be of width not less than three-eighths of an inch, such numbers to be of white letters on a black ground and such owner shall not be required to place any other marks of identity upon such motor vehicle. Provided, however, that in the event of the sale of the the same, the purchaser or person hiring the same may for a period of five days ensuing the delivery or hiring to him of such vehicle, including in such computation the day of delivery, operate such vehicle under the number of the previous owner or lettor; provided he have and display on demand the actual consent in writing of such previous owner or lettor so to do. Upon the expiration of such period of five days the right to continue the use of such number shall absolutely cease and terminate, and its use after such period shall be regarded as the displaying of a fictitious number within the meaning of this section. Any person driving a motor vehicle in the State the owner of which shall not have complied with the provisions of this sub-title, or which motor vehicle shall display a fictitious number, that same being a number other than that designated for such motor vehicle by the Secretary of State, shall, upon conviction, be fined in a sum not exceeding fifty dollars, and, in default of payment thereof, be punished by imprisonment in the county or city jail, as the case may be, for a period not exceeding thirty days; no number other than the Maryland State number shall be carried upon the front and back of the said motor vehicle while operated or used on any of the public highways of this state aforesaid, provided that residents of the District of Columbia shall not be required to remove the District number or tag when coming into Maryland, if such tag contains the initials D. C. in plain letters not less than one-half inch in height after such District license number, and provided, also, that where it clearly appears that the registration number has been lost by accident no penalty shall be imposed. Every operator of a motor vehicle shall give the name of the owner or the name and residence of the person hiring the motor vehicle if the said motor vehicle be a hired machine and the registration number of such vehicle which so requested by the keeper of a toll-gate. The managers or owners of all toll-roads shall after dark suspend a red lantern over the road-way when the gate is down.

133—Every motor vehicle shall carry during the period, from one hour after sunset to one hour before sunrise, at least two lighted lamps, showing white lights, visible at least two hundred feet in the direction to which such motor vehicle is proceeding, and shall also exhibit at least one red light visible in the reverse direction; upon the fronts of the two aforesaid lamps showing white lights, shall be displayed in such manner as to be plainly visible when said lamps are lighted, the number of the license issued as aforesaid by the Secretary of State the same to be in separate Arabic numerals in lines that are not less than two inches in height Every motor vehicle shall also be provided with good and efficient brakes, and shall also be provided with suitable bell, horn or other signal device; provided, however, that the user of such motor may proceed to his destination in event of a bona fide failure of his lights to operate, if he sounds his bell, horn, or other signal device at least once in every two hundred feet, doe not proceed at a rate guilty of a violation of the aforegoing provision.

134—The following rates of speed may be maintained, but shall not be exceeded, upon any public street, public road or turnpike, public parkway public driveway or public highway in this State by anyone driving a motor vehicle: (1) A speed of one mile in ten minutes upon the sharp curves or a highway and at the intersection of prominent cross roads where such roads or highway passes through the open country. (2) A speed of one mile in ten minutes where such streets or highway passes through the built up portion of a city, town or village; except cities of 16,000 inhabitants or over, elsewhere except as otherwise provided in this sub-title, a speed of one mile in five minutes; provided, however, that notaing in this section contained shall permit any person to drive a motor vehicle at any speed greater than is reasonable, having regard to the traffic and use of highways, or so as to endanger the life or limb, or to injure the property of any person; and it is further provided that nothing in this section contained shall affect the right of any person injured in his person or property by the negligent operation of a motor vehicle to sue and recover damages as heretofore

135—Upon approaching a person walking in the roadway of a public highway, or a horse or other draft animal being ridden, led or driven thereon, a person operating a motor vehicle, shall give reasonable warning of its approach by signalling with a horn or other device, and shall reduce the speed of such vehicle to a speed not exceeding one mile in ten minutes, while near to and passing such animals so ridden, led or driven as aforesaid, and it shall be the duty of the person so riding, leading or driving such horse or other animal when approached from the rear, as soon as practicable, to turn to the right of the centre of the roadway, leaving a clear open space for such motor vehicle to pass. If such horse or other draft animal shall appear frightened at the approach of such motor vehicle, whether approaching from the front or rear, or if the person in charge of such animal shall signal by raising his hand, the person in charge of such motor vehicle, if going toward such horse from an apposite direction, shall guide the motor vehicle as far as practicable to the side of the roadway, and bring the same to a stop, and remain standing until the person in charge of such horse or other animal can drive or alight, and lead his horse by, or if going in the same direction, shall reduce the speed of such motor vehicle and bring the same to a stop until such person in charge of such horse or other draft animal shall have had reasonable time to alight, if desired, and take hold of such horse or other draft animal, or otherwise control the same. In meeting or overtaking horses or other draft animals ridden or driven by ladies or children unattended by a man it shall be the duty of the person in charge of a motor vehicle to use every reasonable precaution to avoid frightening such horse or other animal, and if requested so to do, to stop such motor vehicle, alight therefrom, and lead such horse or other animal by such motor vehicle, and take such other precaution as may be necessary to avoid accident. The horn or other signal device shall be used only for the purpose of giving a signal of approach and shall not be sounded while passing a horse or other draft animal. The horn or other signal device shall also be sounded in approaching sharp curves, intersecting highways and the tops of hills, when driving in the open country. In passing a horse or other draft animal left unattended by the roadside, whether hitched or unhitched, and whether in a city, town or village, or in the open country, the person in charge of a motor vehicle shall reduce the speed thereof to a mile in ten minutes, and upon any sign of the horse or horses being frightened, shall immediately stop and give notice of his approach by a blast of his horn or other signal device, and remain standing until the owner or driver of such horse or horses can get hold of or control same.

136—The Board of County Commissioners, or other proper local authorities having charge of the roads and highways (in Balimore city, the Board of Police Commissioners,) may in their discretion, notwithstanding the other provisions of this sub-title, set aside for a given time a specified public highway or highways for speed, tests or contests, to be conducted under proper restrictions for the safety and convenience of the public.

137—Any person driving a motor vehicle upon any of the public highways of this State in an organized race (except as in this Act otherwise provided) or on a bet or wager, shall upon conviction, be fined in a sum not exceeding $100, and in default of payment thereof, be punished by imprisonment in the county or city jail, as the case may be, for a period not exceedthirty days, the words "organized race" as used in this section not to be taken to embrace a casual brush on the public highways, which, however, is hereby prohibited, and is to be deemed punishable, when on a highway where persons are driving, as a violation of the section prohibiting a greater speed than is reasonable, and when otherwise and the speed exceeds twelve miles an hour, as a violation of sub-title 3 of Section 134 of this Act.

138—No person operating any steam or electric motor vehicle in this State shall allow the same to stand unattended on or by any road, street or other highway, without securely locking the lever or other device by which the same is started, or taking other reasonable precautions to prevent such vehicle being started by unauthorized persons; and no person operating any gasoline motor vehicle shall leave the same unattended as aforesaid without first stopping the motor and cutting off the electric current. The penalty for a violation of the aforegoing provision shall be a fine not less than ten dollars. Any person who shall, without authority of the person in charge thereof, climb upon or in any automobile, whether while the same is in motion or at rest, or hurl stones or other missiles at the same, or at the occupants thereof, or who shall, while such motor vehicle is at rest and unattended, sound or attempt to manipulate any of the levers, the starting crank, brakes or machinery thereof, or set said vehicle in motion, or otherwise damage or interfere with the same, shall be deemed guilty of a misdemeanor, and upon conviction, be fined [illegible] dollars.

139—Any person violating the provision of this sub-title shall, except as otherwise provided herein, upon conviction be fined in a sum not exceeding the amounts hereinafter respectively set forth; For a violation of section 131 fifty dollars; for a violation 132 twenty dollars; for a violation of Section 133 twenty dollars; for a violation of sec-134, sub-division 1, twenty-five dollars; for a violation of section 134, sub-division 2, twenty-five dollars; for a violation of section 134, sub-division 3, fifty dollars; for a violation of section 135, fifty dollars. In default of the payment of any of the above fines, there shall be imposed an imprisonment in the county or city jail, as the case may be, for a period not exceeding thirty days, provided that any offender who shall have been who shall be convicted of a second offence of the same violation, may for such second offence be fined in double the amount herein prescribed for the first offence, and in default of payment of such fine, may be imprisoned in jail as aforesaid for a period not exceeding three months. In the case of any operator of a motor vehicle arrested for a violation of any of the provisions of this sub-title, and who in addition thereto is charged on oath with being an habitually reckless driver or with driving habitually in excess of speed limits of this sub-title prescribed, or with habitually driving in disregard of other provisions of this sub-title, the magistrate before whom such charge is preferred, shall transmit the papers in such case to Court, accepting bail or committing in default thereof as in other cases, and upon the persons so charged being convicted of the charge so preferred as aforesaid, and if the Court be satisfied that such person has been an habitually reckless driver, or has habitually driven in excess of the speed limits herein prescribed, or in habitual disregard of other provisions of this sub-title, such court may in its discretion sentence the person so convicted to imprisonment in the county or city jail, as the case may be, for a term not exceeding sixty days, in addition to imposing the fine prescribed. Any person charged with the violation of the provisions of this sub-title, and being convicted thereof before any committing magistrate or justice of the peace of this State, shall have the right to appeal from the judgment of such magistrate to the Criminal Court of Baltimore city, if convicted in Baltimore city, or court of criminal jurisdiction of any county in which he may be so convicted, and such court on such appeal shall hear the case de novo; provided, however, that such appeal be taken within thirty days from the date of judgment. All fines imposed for violations of the provisions of this sub-title shall be turned over to the proper authorities of the city or counties to be used for street or road improvements, and no part of any such fines shall go to the informer. In case the owner of a motor vehicle shall be taken into custody because of a violation of any provision of this sub-title, he shall be forthwith taken before the nearest justice of the peace or police justice or court, and be entitled to an immediate hearing and if such hearing cannot then be had, be released from custody on giving his personal recognizance to appear and answer for such violation at such time and place as shall then be ordered, secured by the deposit of a sum equal to the maximum fine for the offence with which he is charged, or in lieu thereof, by leaving the motor vehice owned by such person, with or in the custody of such justice of the peace, police justice or clerk of such police court, or, in case such justice of the peace or police justice is not accessible, be forthwith released from custody, on giving his name and address to the officer making such arrest, and depositing with such officer a sum equal to his maximum fiine for the offence for which such arrest is made, or, in lieu thereof, by leaving the motor vehicle owned by such person with such officer, provided, that in such case, the officer making such arrest shall give a receipt in writing for such sum or vehicle, and by indorsements on such receipt notify such person to appear befort the nearest justice of the peace or police justice or court on the following day, naming him or it, and specifying the place and hour. In case security shall be deposited, as in this section provided, it shall be returned to the person depositing the same forthwith on such person being admitted to bail, on the surrender of the receipt or voucher given at the time to such person. If a motor vehicle shall be deposited as security as aforesaid, and the owner thereof so elect and pay the epenxse thereof, the same shall be taken to the nearest garage or other place where the same can be properly kept and protected, and there left subject to the order of the officer or justice in whose custody it was left as aforesaid. Any officer or other person using or operating any motor vehicle so left in custody as aforesaid, shall be deemed guilty of a mesdemeanor, and upon conviction, shall be sentenced to pay a fine not exceeding one hundred dollars, or in default thereof be imprisoned for a period not exceeding sixty days. If the person depositing such security as aforesaid shall fail to appear before the magistrate or court at the time specified, the amount deposited by him may be declared forfeited, and be disposed of as money deposited for bail in other cases, or the motor vehicle so left as security may be sold at public auction after ten days' notice to the owner at the address given, and by hand-bills publicly posted; such sale to be by order of the justice of the peace or police justice or court, and from the amount realized upon such sale, a sum epual to the maximum fiine for the offense charged, shall be disposed of in like manner as though such sums had been deposited as aforesaid, and the surplus, if any, after deducting all expenses incurred in keeping, or the sale of such motor vehicle, be returned to such owner on demand.

139 A—The word "chauffeur" as used in this section shall mean any person operating a motor vehicle as mechanic, employed or hired, except employees of manufacturers testing uncompeted automobies. Every person hereafter desiring to operate a motor vehicle as a chauffeur, shall file in the office of Secretary of State, on a blank to be supplied by such Secretary, a statement duly verified by affidavit, including his name and address, and the trade name and motive power of the motor vehicle or vehicles he is able to operate, and shall pay a registration fee of two [illegible] dollar shall be paid to the State Treasurer for the use of the State Road Fund. The Secretary of State shall thereupon file such statement in office, register such chauffeur in a book to be kept for the purpose, properly indexed and assign such chauffeur a distinguising regisration number. The Secretary of State shall forthwith upon such registration, and without further fee, issue and cause to be delivered to such chauffeur, a badge of aluminum or other suitable metal, which shall be oval in form, and the greater diameter of which shall not be more than two inches, having stamped thereon the words "Registered Chauffeur, No. ——, Maryland," with registration number inserted therein; which badge shall thereafter be worn by such chauffeur pinned upon his clothing in a conspicuous place at all times while he is operating a motor vehicle upon the public highways. No chauffeur, having registered as hereinafter provided shall knowingly permit any other person to wear his badge, nor shall any other person, while operating a motor vehicle, wear any badge belonging to another person, or badge bearing a fictitious number. No person shall knowingly employ any person to operate a motor vehicle as a chauffeur unless the person so employed has complied with the provisions of this section, and no person shall operate a motor vehicle, as a chauffeur, upon the public highways, after thirty days after this Act takes effect, unless such person shall have complied in all respects with the requirements of this section. No chauffeur or other person shall drive or operate any motor vehicle upon any street or highway in the absence of the owner of such motor vehicle without his consent. No chauffeur or other person having the care of a motor vehicle for the owner shall receive or take, directly or indirectly, any bonus, discount or other consideration on supplies or parts furnished or purchased for such motor vehicle, or on work or labor done thereon by others; and no person furnishing such supplies or parts, work or labor, shall give or offer any such chauffeur or other person having the care of a motor vehicle for the owner, directly .ndirectly, any bonus, discount or other consideration thereon. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction shall be fined a sum not exceeding one hundred dollars, or be imprisoned in the city or county jail for a period not exceeding sixty days. Chauffeurs, while operating motor vehicles on the public highways of this State shall be subject to all the provisions and penalities in this sub-title provided, relating to violations of the provisions of this sub-title, and upon conviction of a second offence or of any offence in this sub-title prohibited, the Justice of the Peace or other judicial officer imposing sentence may revoke such chauffeur's license for a period not exceeding three months in addition to imposing the penalty prescribed, such judicial officer to retain such chauffeur's badge until the expiration of the period for which his license may be revoked. Upon conviction of a chauffeur in a Criminal Court, and his being found by the Court to be an habitual offender, as in section 139 of this sub-title provided, the Court may in its discretion revoke such chauffeur's license absolutely; in which event such chaffeur's badge shall be returned to the Secretary of State, and the person to whom such badge was so issued shall not be permitted or entitled to register again for a period of one year from the date of such conviction.

140—Whenever the term motor vehicle is used in this sub-title, it shall be construed to include automobiles locomobiles, and all other vehicles propelled otherwise than by muscular power and having more than two wheels, but shall not be taken to include the cars of electric and steam railways and other vehicles running only upon rails or tracks, road or traction engines, bicycles, tricycles or other similar vehicles propelled exclusively by muscular power, or motor cycles, except as to the speed herein prescribed.

Sec 2—And be it enacted, that all Acts and parts of Acts inconsistent herewith or contrary hereto are hereby repealed to the extent of such inconsistency.

Sec 3—And be it enacted, That all licenses to operate motor vehicles in this State heretofore issued by the Secretary of State, shall remain in full force and effect and shall not be in anywise affected by the provisions of this Act.

Sec 4—And be it enacted, That this Act shall take effect from the date of its passage.

Approved April 3, 1906.

CHAPTER 192

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

Section 1—Be it enacted by the General Assembly of Maryland, That Section 4 of Article 100 of the Code of Public General Laws of Maryland, title " Work Hours of, Factories," as amended by Chapter 566 of the Acts of the General Assembly of Maryland for 1906, be and the same is hereby repealed and re-enacted, with amendments, so as to read as follows:

4—No proprietor, owner, superintendent, manager or foreman or other subordinate or agent of any mill, factory, workshop, office restaurant, hotel apartment house, store, telephone or telegraph office, or other establishment or business shall, after the first day of September, in the year 1906, employ for wages or hire, or retain in employment in any such mill, factory, workshop, office, restaurant, hotel, apartment house, store telephone or telegraph office, or other establishment or business, any person or persons under twelve (12) years of age, except in the counties from June 1st, to October 15th in every year.

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

5—That no child between the ages [illegible] and sixteen (16) shall [illegible] ration employing him or her produces and keeps on file and accessible to the inspectors authorized by this Act and the attendance officer of the public schools, an employment permit, and keep a complete list of all such children employed therein on file, and in the case of children employed in factories, workshops, mills or messenger services, a duplicate of said list shall be conspicuously posted near the principal entrance of the building in which such children are employed.

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

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

Employment Permit.

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

Signature of.....Child..... (Date).....

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

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

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

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

Date.....

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

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

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

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

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

12—That this Act shall not include farm labor.

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

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

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

Approved March 30, 1906.

CHAPTER 421.

An Act to repeal and re-enact with amendments Sections 18 and 19 of Article 83 of the Code of Public General Laws of Maryland, title "Sales and Notices," being Chapter 579 of the Acts of General Assembly, passed at the January Session, nineteen hundred, under the subtitle "Sales in Bulk," and to be known as Sections 18, 19, 20 and 21, respectively.

Section 1. Be it enacted by the General Assembly of Maryland, That Sections 18 and 19 of Article 83 of the Code of Public General Laws of Maryland, title "Sales and Notices," being Chapter 579 of the Acts of General Assembly, passed at the January Session, nineteen hundred, under the new sub-title "Sales in Bulk," be and the same are hereby repealed and re-enacted with amendments so as to read as follows:

18. It shall be the duty of every person who shall bargain for or purchase any stock of goods, wares or merchandise in bulk for cash or credit within this State to demand and receive from the vendor thereof, and if the vendor be a corporation, then from a managing officer or agent thereof, at least five days from the consummation of such bargain or purchase, and at least five days before paying or delivering to the vendor any part of the purchase price or consideration thereof, or any promissory note or other evidence of indebtedness therefor, a written statement under oath, containing the names and addresses of all the creditors of said vendor, together with the amount of indebtedness due or owing, or to become due or owing, by said vendor to each of such creditors, and if there be no such creditors, a written statement under oath to that effect; and it shall be the duty of such vendor to furnish such statement at least five days before any sale or transfer by him of any stock of goods, wares or merchandise in bulk.

19. That after having received from the vendor the written statement under oath mentioned in Section 18, the vendor shall at least five days before the consummation of such bargain or purchase and at least five days before paying or delivering to the vendor any part of the purchase price a consideration therefor, or any promissory note, or other evidence of indebtedness for the same in good faith, notify or cause to be notified personally, or by registered letter, each of the creditors of the vendor named in statement of the proposed purchase by him of such stock of goods, wares or merchandise; and whenever any person shall purchase any stock of goods, wares or merchandise in bulk, or sall pay the purchase price, or any part thereof, or execute or deliver to the vendor thereof, or to his order, or to any person for his use, any promissory note, or other evidence of indebtedness for said stock, or any part thereof, without having first demanded and received from his vendor the statement under oath as provided in Section 18, and without having notified or cause to be notified all o. the creditors of the vendor named in such statement as in the section presented, such purchase, sale or transfer shall to any and to all subsisting creditors of the vendor be conclusively presumed fraudulent and void.

20. That any sale or transfer of a stock of goods, wares or merchandise out of the usual or ordinary course of the business in the trade of the vendor, or whenever thereby substantially the entire business trade theretofore conducted by the vendor, shall be sold or conveyed or attempted to be sold or conveyed to one or more persons, shall be deemed a sale or transfer in bulk, in contemplation of this law.

21. That nothing contained in the aforegoing sections shall apply to sales made by executors, administrators, receivers or any public officer conducting a sale in his official capacity, nor to any deed of trust executed for the benefit of creditors.

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

Approved April 3, 1906.

CHAPTER 712.

An Act to repeal Section 164 of Article 81 of the Code of Public General Laws of Maryland, (as legalized by the Act of 1904, Chapter 72) title, "Revenue and Taxes," sub-title "Tax on Gross Receipts of Certain Corporations," as said Section was enacted by the Act of the General Assembly of 1896, Chapter 120, Section 1, Code Section 164, and to re-enact the said section with amendments.

Section 1. Be it enacted by the General Assembly of Maryland, That Section 164 of Article 81, of the Code of Public General Laws of Maryland, (as legalized by the Act of 1904, Chapter 72) title "Revenue and Taxes," sub-title, "Tax on Gross Receipts of Certain Corporations," as the said section was enacted by the Act of the General Assembly of 1896, Chapter 120, Section 1, Code Section 164, be and the same is hereby repealed and re-enacted with amendments, so as to read as follows:

Section 164. A State tax as a franchise tax is hereby levied annually any other State, Territory, District of Columbia or Foreign country, and doing business in this State, such State tax being as follows, to wit: One and one-quarter per centum on the first $1,000 per mile of gross earnings, or on the total earnings if they are less than $1,000 per mile, and two percentum on all gross earnings above $1,000 and up to $2,000 per mile and when the earnings exceed $2,000 per mile, two and one-half per centum on all earnings above that sum; a State tax, as a franchise tax of two and one-half per centum upon the gross receipts or earnings of every telegraph or cable, express or transportation, parlor car, sleeping car, safe deposit and trust company incorporated under any general or special law of this State and doing business therein; a State tax as a francihse tax of two per centum, is hereby levied annually upon the gross receipts or earnings of all telephone and oil pipe line companies and all guarantee and fidelity companies, title insurance companies incorporated under any general or special law of this State and doing business therein; and a State tax as a franchise tax of one per centum, upon the annual gross receipts or earnings of all electric light companies incorporated under any general or special law of this State and doing business therein; and a State tax as a franchise tax of one and one-half per centum, upon the annual gross receipts of earnings of all electric, construction and gas companies incorporated under any general or special law of this State and doing business therein; and every guano, phosphate or fertilizer company incorporated by or under the laws of any other State, Territory, District of Columbia or foreign country and doing business in this State; if any such railroad company has part of its road in this State and part thereof in another State or States, such company shall return a statement of its gross receipts over its whole line of road, together with a statement of the whole length of its line and the length of its line in this State, and such company shall pay to the State at the said rates hereinbefore prescribed upon such proportion of its gross earnings as the length of its line in this State bears to the whole length of its line; and similar statements shall be made by each oil pipe line company, and each sleeping car, parlor car, express or transportation company, telephone or telegraph or cable company, so that the proportion of the said gross earnings of the said companies, respectively, accruing, coming from their business within this State, may be accurately ascertained, or said statement may be made in any other mode satisfactory to and required by the State Tax Commissioner; the said gross receipts taxes shall be due and payable at the treasury on or before the first day of July in each year. All the provisions and requirements of this section shall be in force and applied to all corporations of a like kind to those above enumerated which are doing business in this State, and which are incorporated by or under the laws of any other State, district, territory or foreign country. Every un-incorporated association, partnership or individual engaged in any one or more of the above specially enumerated branches of business in this State, except guano, phosphate and fertilizer companies, shall be subject to said gross receipts tax, and shall comply with all the provisions of this Article with reference thereto as fully as if such association, partnership or individual was a corporation.

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

Approved April 5, 1906.

CHAPTER 33.

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

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

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

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

Approved February 27, 1906.

CHAPTER 476.

An Act to add an additional section to Article 27 of the Code of Public General Laws, title "Crimes and Punishments," sub-title "Burglary," to be known as Section 32A.

Section 1. Be it enacted by the General Assembly of Maryland, That any person who breaks and enters, either by day or by night, any building, whether inhabited or not, and opens or attempts to open any vault, safe or other secure place by use of nitro-glycerine, dynamite, gunpowder, or any other explosive, shall be deemed guilty of burglary, with explosives.

Sec. 2. And be it enacted, That any person duly convicted of burglary with explosives, shall be sentenced to the penitentiary in the discretion of the court for a period not more than twenty years.

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