1938
PROCLAMATION OF THE GOVERNOR OF MARYLAND PROPOSING AMENDMENTS TO THE CONSTITUTION OF THE STATE

WHEREAS, at the January session of the General Assembly of Maryland, held in the year 1935, an Act was passed, to wit: Chapter 463 proposing an amendment to repeal Section 36 of Article 3 of the Constitution of the State of Maryland, title "Legislative Department," said section prohibiting the General Assembly from authorizing a lottery, and providing for the submission of said amendment to the qualified voters of the State of Maryland for adoption or rejection; and

WHEREAS, at the January session of the General Assembly of Maryland, held in the year 1937, an Act was passed, to wit: Chapter 494 proposing to amend Section 21 of Article 4, title "Judiciary Department", sub-title "Part III—Circuit Courts", of the Constitution of this State, to provide an additional judge in the Second Circuit and to provide for the submission of said amendment to the qualified voters of this State for adoption or rejection; and

WHEREAS, at the January session of the General Assembly of Maryland, held in the year 1937, an Act was passed, to wit: Chapter 525 proposing an amendment to Article 15 of the Declaration of Rights of the Constitution of the State of Maryland, authorizing the General Assembly to impose taxes on incomes, and providing for the submission of said amendment to the qualified voters of the State of Maryland for adoption or rejection; in words and figures as follows:

CHAPTER 463—1935

AN ACT to propose an amendment to repeal Section 36 of Article 3 of the Constitution of the State of Maryland, title "Legislative Department," said section prohibiting the General Assembly from authorizing a lottery, and providing for the submission of said amendment to the qualified voters of the State of Maryland for adoption or rejection.

Section 1. Be it enacted by the General Assembly of Maryland (three-fifths of all the members of each of the two Houses concurring), That Section 36 of Article 3 of the Constitution of the State of Maryland, title "Legislative Department," prohibiting the General Assembly from authorizing lottery grants be and it is hereby repealed if adopted by the legally qualified voters of the State, as herein provided.

Sec. 2. And be it further enacted, That the aforegoing amendment to the Constitution of the State of Maryland shall, at the next ensuing general election for members of the General Assembly of Maryland, be submitted to the legal and qualified voters of the State for their adoption or rejection, in pursuance of the directions contained in Article 14 of the Constitution of the State of Maryland, and at the said general election the vote on the said proposed amendment to the Constitution shall be by ballot, and upon each ballot there shall be printed the words: "For Constitutional Amendment" and "Against Constitutional Amendment," as now provided by law, and immediately after said election due returns shall be made to the Governor of the vote for and against proposed amendment, as directed by said Fourteenth Article of the Constitution, and further proceedings had in accordance with said Article 14.

Approved: May 17, 1935.

CHAPTER 494—1937

AN ACT to amend Section 21 of Article 4, title "Judiciary Department", sub-title "Part III—Circuit Courts", of the Constitution of this State, to provide an additional judge in the Second Circuit and to provide for the submission of said amendment to the qualified voters of this State for adoption or rejection.

Section 1. Be it enacted by the General Assembly of Maryland (three-fifths of all the members elected to each of the two Houses concurring), That the following section be and the same is hereby proposed as an amendment to Section 21 of Article 4, title "Judiciary Department", sub-title "Part III—Circuit Courts", of the Constitution of the State, and if adopted by the legal and qualified voters thereof as herein provided, it shall supersede and stand in the place and stead of Section 21 of said Article 4.

21. For each of the said circuits, excepting the eighth, the second, the third and the sixth, there shall be a chief judge and two associate judges, to be styled judges of the Circuit Court, to be selected or appointed as herein provided, and for the second circuit, the third circuit and the sixth circuit, there shall be a chief judge and three associate judges to be styled judges of the Circuit Court, to be elected or appointed as herein provided. And no two of said associate judges, for any of the said circuits, except the third and sixth circuits shall, at the time of their election or appointment or during the term for which they may have been elected or appointed, reside in the same county. If two or more persons shall be candidates for associate judge in the same county in any of the circuits, except the third and sixth circuits, that one only in said county shall be declared elected who has the highest number of votes in the circuit. In case any two candidates for associate judge in any of the circuits, except the third and sixth circuits, residing in the same county shall have an equal number of votes greater than any other candidates for associate judge in the circuit, it shall be the duty of the Governor to order a new election for one associate judge; but the person residing in any other county of the circuit and who has the highest number of votes shall be declared elected. The said judges shall hold not less than two terms of the Circuit Court in each of the counties composing their respective circuits, at such times as are now or may hereafter be prescribed to which jurors shall be summoned; and in those counties where only two such terms are held, two other and intermediate terms, to which jurors shall not be summoned; they may alter or fix the times for holding any or all terms, until otherwise prescribed, and shall adopt rules to the end that all business not requiring the interposition of the jury shall be, as far as practicable, disposed of at said intermediate terms. One judge in each of the above circuits, including the second, the third and sixth circuits, shall constitute a quorum for the transaction of any business; and the said judges or any of them may hold special terms of their courts, whenever in their discretion the business of the several counties renders such terms necessary. The additional associate judge for the third circuit elected in accordance with the terms of the Constitutional Amendment heretofore submitted and adopted shall be subject to the same constitutional provisions, hold his office for the same term of years, receive the same compensation and have the same powers as are herein provided for the other associate judges in the third circuit.

The additional associate judge for the second circuit herein provided for shall be a resident of Cecil County, shall be appointed by the Governor after the expiration of six (6) months after the adoption of this amendment and shall serve until the first general election for members of the General Assembly that shall be held in said circuit subsequent to the adoption of this amendment, at which election his successor shall be elected by the qualified voters of Caroline, Cecil, Kent, Queen Anne's and Talbot Counties, constituting the second circuit. The judge so appointed shall be subject to the same constitutional provisions, receive the same compensation and have the same powers as are herein provided for the other associate judges in the second circuit, and the judge so elected shall be subject to the same constitutional provision, hold his office for the same term of years, receive the same compensation, and have the same powers as are herein provided for the other associate judges in the second circuit.

The additional judge for the sixth circuit herein provided for and elected by the qualified voters of Frederick and Montgomery Counties at the 1938 election in accordance with the terms of the Constitutional Amendment heretofore submitted and adopted shall be subject to the same constitutional provisions, receive the same compensation and have the same powers as are herein provided for the other associate judges in the sixth circuit and his successor shall be appointed and/or elected in accordance with the constitutional provisions relating to judges. The Chief Judge may be elected from either Frederick or Montgomery Counties, but when the Chief Judge is elected from Frederick County one of the associate judges shall be a resident of said county and the two remaining associate judges shall be residents of Montgomery County and when the Chief Judge is elected from Montgomery County one of the associate judges shall be a resident of said Montgomery County and the remaining two associate judges residents of Frederick County. In case any candidate or candidates for associate judge at any judicial election held in the sixth judicial circuit shall receive sufficient votes to cause such candidate or candidates to be declared elected, but the election of such candidate or candidates would cause more associate judges than herein permitted to reside in any county of said circuit, then and in that event only that candidate or those candidates, as the case may be, residing in said county in the order of the votes received shall be declared elected whose election would provide the permitted number of associate judges from said county and the candidate or candidates as the case may be, residing in the other county, and not similarly disqualified, who shall have the next highest number of votes in said election shall be declared elected. If, by reason of such a condition or by reason of an equal vote for two or more candidates a sufficient number of associate judges duly qualified as to residence as above set out should not be elected at any election in said sixth judicial circuit, then it shall be the duty of the Governor to order a new election for such unfilled office or offices.

Sec. 2. And be it further enacted, That the aforegoing section hereby proposed as an amendment to the Constitution of this State shall be, at the next general election to be held in this State in the year 1938, submitted to the legal and qualified voters thereof for their adoption or rejection in pursuance of directions contained in Article 14 of the Constitution of this State, and at the said general election, the vote on the said proposed amendment shall be by ballot, and upon each ballot there shall be printed the words "For the Constitutional Amendment" and "Against the Constitutional Amendment," as now prescribed by law, and immediately after said election, due returns shall be made to the Governor of the vote for and against said proposed amendment as directed by said Article 14 of the Constitution.

Approved: May 18, 1937.

CHAPTER 525—1937

AN ACT to propose an amendment to Article 15 of the Declaration of Rights of the Constitution of the State of Maryland, authorizing the General Assembly to impose taxes on incomes, and providing for the submission of said amendment to the qualified voters of the State of Maryland for adoption or rejection.

Section 1. Be it enacted by the General Assembly of Maryland (three-fifths of all the members of each of the two Houses concurring), That the following amendment be and the same is hereby proposed to Article 15 of the Declaration of Rights of the Constitution of the State of Maryland, the same, if adopted by the legal and qualified voters of the State, as herein provided, to become Article 15 of the Declaration of Rights of the Constitution of the State of Maryland.

Art. 15. That the levying of taxes by the poll is grievous and oppressive and ought to be prohibited; that paupers ought not to be assessed for the support of the Government; that the General Assembly shall, by uniform rules, provide for separate assessment of land and classification and sub-classification of improvements on land and personal property, as it may deem proper; and all taxes thereafter provided to be levied by the State for the support of the general State Government, and by the counties and by the City of Baltimore for their respective purposes, shall be uniform as to land within the taxing district, and uniform within the class or sub-class of improvements on land and personal property which the respective taxing powers may have directed to be subjected to the tax levy; yet fines, duties or taxes may properly and justly be imposed, or laid with a political view for the good government and benefit of the community. Taxes may be imposed on incomes, which may be classified, graduated and progressive and the exemption of a reasonable amount of income from taxation may be provided and such taxes may be in lieu of taxes on any class or classes of real or personal property as the General Assembly may determine.

Sec. 2. And be it further enacted, That the aforegoing amendment to the Declaration of Rights of the Constitution of the State of Maryland shall, at the election to be held in November, 1938, be submitted to the legal and qualified voters of the State for their adoption or rejection, in pursuance of the directions contained in Article 14 of the Constitution of the State of Maryland, and at the said general election the vote on the said proposed amendment to the Constitution shall be by ballot, upon each ballot there shall be printed the words: "For Constitutional Amendment" and "Against Constitutional Amendment", as now provided by law, and immediately after said election due returns shall be made to the Governor of the vote for and against proposed amendment, as directed by said Fourteenth Article of the Constitution, and further proceedings had in accordance with said Article 14.

Approved: May 18, 1937.

NOW, THEREFORE, I, HARRY W. NICE, GOVERNOR OF THE STATE OF MARYLAND, in pursuance of the direction contained in Section 1 of Article 14 of the Constitution of Maryland, do hereby order and direct that this proclamation containing a full, true and correct copy of the text of said Chapter 463 of the Acts of the General Assembly of Maryland of 1935, and said Chapters 494 and 525 of the Acts of the General Assembly of Maryland of 1937, be published in at least two newspapers in each of the counties of the State where so many may be published and where not more than one may be published then in that newspaper, and in three newspapers published in the City of Baltimore, one of which shall be published in the German language, once a week for at least three months next preceding the general election to be held in the State of Maryland on Tuesday, the 8th day of November, 1938, at which election the said proposed amendments to the Constitution shall be submitted in form and manner prescribed by the General Assembly, to the legal and qualified voters of the State for their adoption or rejection.

GIVEN UNDER MY HAND AND THE GREAT SEAL OF THE STATE OF MARYLAND. DONE AT THE CITY OF ANNAPOLIS, THIS 20TH DAY OF JULY, IN THE YEAR OF OUR LORD, ONE THOUSAND NINE HUNDRED AND THIRTY-EIGHT.

HARRY W. NICE
By the Governor:
E. RAY JONES
Secretary of State.

1938
PROCLAMATION OF THE GOVERNOR OF MARYLAND STATE-WIDE REFERENDUMS

WHEREAS, at the January 1937 session of the General Assembly of Maryland, an Act was passed known as Chapter 91, fixing the time within which marriage license may be issued; and

WHEREAS, at the January 1937 session of the General Assembly of Maryland, an Act was passed known as Chapter 306, for the purpose of licensing dentists which licenses shall be issued to individual dentists; providing for a State Board of Dental Examiners, its organization and duties; providing for the giving of examinations and licenses by said Board; providing for the issuance of new licenses in place of those that are lost or destroyed; providing for fees upon taking of examinations; providing for the revocation and suspension of licenses; prohibiting advertising by dentists; providing appeals from the ruling of the Board; defining dentistry; creating certain exceptions to the Act; providing for penalties, and providing other matters incidental to the general purpose of the Act; in words and figures as follows:

CHAPTER 91

AN ACT to repeal and re-enact with amendments Section 5 of Article 62 of the Aanotated Code of Maryland (1924 Edition), title "Marriages", to fix the time within which marriage license may be issued.

Section 1. Be it enacted by the General Assembly of Maryland, That Section 5 of Article 62 of the Annotated Code of Maryland (1924 Edition), title "Marriages", be and it is hereby repealed and re-enacted with amendments to read as follows:

5. Before the Clerk of any of the Courts aforesaid shall issue any license he shall examine one of the contracting parties to the marriage, under oath, who shall appear personally before the Clerk and make application for the same, and the Clerk shall ascertain: first, the full name of the parties; second, their place of residence; third, their age; fourth, their color; fifth, whether married or single; sixth, whether related or not, if so, in which degree of relationship; seventh, if ever divorced; which facts upon the payment of one dollar ($1.00) as an application fee shall be set out in printed form to be signed by the person making the application, and no such license to marry shall be delivered by the Clerk until after the expiration of Forty-eight (48) hours from the time application is made therefor; provided, however, that any judge of the Circuit Court of the county in which the application is made or, if made in Baltimore City, any judge of the Court of Common Pleas, for good and sufficient cause shown, may, by an order in writing signed by him, authorize the Clerk to deliver such license at any time after the application therefor. It shall be unlawful for the clerks of any of the courts aforesaid to make public the fact of an application for a marriage license until such license shall have been issued.

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

Approved: March 22, 1937.

CHAPTER 306

AN ACT to repeal Sections 1 to 13, inclusive, of Article 32 of the Code of Public General Laws of Maryland, 1935 Supplement, Flack's Edition, title "Dentistry", and to re-enact in place and in lieu thereof twenty-three new sections to be known as Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 10a, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22, for the purpose of licensing dentists, which licenses shall be issued to individual dentists; providing for a State Board of Dental Examiners, its organization and duties; providing for the giving of examinations and licenses by said Board; providing for the issuance of new licenses in place of those that are lost or destroyed; providing for fees upon taking of examinations; providing for the revocation and suspension of licenses; prohibiting advertising by dentists; providing appeals from the ruling of the Board; defining dentistry; creating certain exceptions to the Act; providing for penalties, and providing other matters incidental to the general purpose of the Act.

Section 1. Be it enacted by the General Assembly of Maryland, That Sections 1 to 13, inclusive, of Article 32 of the Code of Public General Laws of Maryland, 1935 Supplement, Flack's Edition, title "Dentistry", be, and the same are hereby, repealed; and that twenty-three new sections, to be known as Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 10a, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22, be, and they are hereby, enacted in lieu and in place thereof, said new sections to read as follows:

1. It shall be unlawful for any person to engage in the practice of dentistry in the State of Maryland, unless such person shall have obtained a license from the State Board of Dental Examiners of the State of Maryland as hereinafter provided, except that the license of any dentist, existing at the time of the passage of this Act, shall continue in force unless suspended or revoked by the Board in the manner hereinafter provided.

All licenses issued by the Board shall be issued to individual persons, and it shall be unlawful for any dentist to practice in this State under any name except his own true name. No license shall be issued to any corporation, association, partnership, parlor, or any entity or association of any kind or character. It shall be unlawful for any individual or group of individuals to practice dentistry in this State as a corporation or under a corporate name; or under a partnership name; as an association or under an association name; as a parlor or under any parlor name, or an entity or under the name of any entity of any kind or character.

2. There shall be a State Board of Dental Examiners, hereinafter called the Board whose duty it shall be to carry out the purposes and enforce the provisions of this Article. Said Board shall consist of six registered and practicing dentists of recognized ability and honor, residents of the State of Maryland, each of whom shall have been in active practice in the State for at least five years immediately preceding his appointment. No member of the faculty or teaching staff of any university or college in the State of Maryland which offers undergraduate courses in dentistry shall be eligible for appointment. The members of the Board as at present constituted shall hold office for the residue of the respective terms for which they have been appointed. On the expiration of the term or terms for which any one or more of the members of the present Board may have been appointed, in pursuance of this Article, the Governor shall appoint a successor or successors from a list of dentists duly qualified as hereinbefore prescribed of double the number of vacancies to be filled, proposed and submitted to him by the Maryland State Dental Association, and chosen by a majority vote of the members of said association present at a meeting of said association called for that purpose, of which meeting at least two weeks' notice, stating the time, place and purpose thereof, shall be mailed by the Secretary to the members of said association at their respective addresses appearing in the records thereof. The term for which the members of said Board shall be appointed as aforesaid shall be six years, and until their successors shall have been appointed and qualified. No member who has served two full consecutive terms shall be eligible to succeed himself. In case of a vacancy occurring in said Board by reason of the death of any member, or of his incapacity, neglect or refusal to act, or in any other way, the Governor shall, from a list of duly qualified dentists of double the number of vacancies to be filled, chosen, submitted and proposed to him as hereinbefore provided, appoint a successor or successors of said member or members, who shall hold office for the remainder of the unexpired term or terms of said member or members. Any member of said Board, who, without adequate reason shall be absent from two successive meetings thereof shall cease to be a member thereof, and the Governor shall have the power to remove from office, at any time, any member of the Board for continued neglect of duty required by this Act, or for incompetency, unprofessional or dishonorable conduct.

3. Said Board shall choose one of its members president, and one secretary thereof, whose duties shall be those usually appertaining to their respective offices, and shall adopt such rules, regulations, or by-laws as may be necessary or expedient to assist it in its organization under this Article. The Secretary shall also be the legal custodian of all the property, money, minutes, records, proceedings and the seal of said Board. Said Board shall hold regular meetings in the months of June and November of every year, and special meetings as it may deem necessary, upon call of the president or secretary thereof and upon due notice. Meetings may be held at any time and place and without notice, by the unanimous consent evidenced either by writing or by the presence of any member whose consent is necessary.

4. The Board shall give an examination twice each year at a suitable place in Maryland to be decided by the Board, to all persons who may desire to qualify to practice dentistry in this State. This examination shall be at such time, place, under such conditions and of such kind or character as the Board in its sole discretion may determine.

5. (a) Any person of good moral character, twenty-one or more years of age, who has been graduated and admitted to the degree of Doctor of Dental Surgery, Doctor of Dental Medicine, or other equivalent degree by any university or college duly incorporated and authorized to grant said degree by the laws of the United States or any of its territories, districts or possessions, or by the laws of any State of the United States, or the laws of any province of the Dominion of Canada and recognized by the Board as requiring adequate pre-professional collegiate training and as maintaining an acceptable course of dental instruction, may make application in writing to said Board to be examined by it with reference to his or her qualifications to practice dentistry, and upon his or her passing an examination satisfactory to said Board, which examination shall be in writing so far as said Board shall deem practicable, the Board shall cause the name and residence of such person to be registered in a book kept by it for that purpose, and shall issue to such person a certificate of registration, as evidence of his or her eligibility to practice dentistry, signed by the officers of the Board and sealed with its official seal, which certificate shall also state the name of the person to whom issued, and the date of such issuance.

(b) The Board may, in its discretion, register without examination, in whole or in part, and issue a certificate to any person who has been graduated and admitted to the degree of Doctor of Dental Surgery or equivalent degree by any university or college incorporated and authorized to grant such degree by the laws of the United States, or any of its territories, districts or possessions, or by the laws of any State of the United States or by the laws of any province of the Dominion of Canada and who has been duly registered and licensed to practice dentistry by a Board of Dental Examiners created and existing under the laws of the United States, or any of its territories, districts or possessions, or under the laws of any State of the United States, or who may have absolved any part of the requirements of examination under the authority of a recognized Board generally accepted as a reputable agent of the profession.

(c) Students of dentistry at a recognized college of dentistry who have completed the regularly prescribed pre-clinical instruction in dental schools recognized by the Board, and who may be certified by the dean of the college at which they are in attendance as having satisfactorily completed certain subjects included in the examination given by the Board, may on application be admitted by said Board to its regular examination upon such subjects and upon passing such examination shall be deemed to have absolved the requirements of the Board in such subjects.

(d) Upon application of the Board of Managers or executive head of any bona fide general hospital or State hospital or sanitorium in the State of Maryland, and upon the payment of a fee of five dollars the Board shall issue a certificate of limited registration to any individual of good moral character who shall furnish the Board with proof entitling such person to be examined for registration under subparagraph (a) of this section. Such limited registration shall be for one year only and the date of expiration shall be plainly stated on the face of the Certificate of registration. Such limited registration shall entitle the said applicant to practice dentistry only for the said institution designated on his certificate of registration and only on bona fide patients of said institution. Such certificate may be revoked by the Board at any time for cause.

6. If any license herein provided for is lost or destroyed, and if the holder thereof shall desire a new license to be issued in place of the license lost or destroyed, he shall make written application to the secretary of the Board for re-issuance of the same under affidavit, setting forth that such license is lost or destroyed, and the circumstances under which such loss or destruction occurred, and upon receipt of such satisfactory application and affidavit, the secretary shall issue to said applicant a duplicate license, for which there shall be paid a fee of five dollars.

7. A fee of twenty dollars shall be paid to the secretary of the Board at the time of application by each applicant for examination, or registration, or both, as often as he or she shall apply for same; provided that payment of said fee of twenty dollars by an applicant who may apply for examination upon certain subjects as provided in Section 5, Article 3, hereof shall entitle him or her to take the examination upon the remainder of the prescribed subjects, no part of said fee to be refunded under any circumstances.

8. The fees collected by the Board shall be used to defray the cost of executing and enforcing the provisions of this Article, including a salary to the secretary as fixed by the Board and a per diem to each member of the Board of twenty-five dollars for every day he is actually employed in the discharge of his official duties, necessary expenses of the secretary and members in the performance of their duties, and such other expenses as the Board shall deem necessary in carrying out the purposes of this Article. The secretary shall receive and disburse all moneys of the Board, and shall account for the same to the State Comptroller in the month of December in each and every year; and should the amount in his hands as of December first in any year, after deducting all expenses paid or incurred, exceed five hundred dollars, the excess shall be paid over to the State Board of Health.

9. Transcripts from the aforesaid book of registration certified by the secretary, sealed with its seal, and all certificates issued in pursuance of the terms of this Article, shall be evidence of the acts and proceedings of the Board in any court of this State.

10. Following a hearing, as hereafter provided, the Board may revoke or suspend for such period as the Board in its sole discretion may determine, the license of any dentist practicing in this State upon a finding by the Board that the dentist whose license was revoked or suspended;

(1) was convicted of a crime involving moral turpitude, in which case a certified copy of the docket entries by the Clerk of the Court wherein the final judgment was entered shall be conclusive evidence of the same;

(2) has presented to the Board a false diploma, license or certificate, or one obtained by false or illegal means;

(3) is by reason of persistent inebriety or addiction to drugs incompetent to continue in the practice of dentistry;

(4) is by reason of insanity or contagious disease an improper person to continue in the practice of dentistry;

(5) has practiced or offered to practice dentistry as defined in this Act under any name except his proper name: which is the name as set forth in the license granted to him or has used the name of any company, association, corporation, trade-name, parlor, dental clinic or business name in connection with the practice of dentistry as defined in this Act; has permitted, directly or indirectly, an unregistered or unlicensed dentist to practice dentistry under his or her direction;

(6) has employed or made use of advertising solicitors or free public press agents;

(7) has used any sign, or whose name is upon any sign, in violation of Section 13 of this Act;

(8) has violated Section 14 of this Act;

(9) has violated Section 10A of this Act;

(10) has been found guilty of dishonorable or unprofessional conduct. Unprofessional conduct shall mean:

(a) the obtaining of any fee by fraud; advertising to guarantee any dental service, or to perform any dental operation painlessly; making use of any advertising statements of a character tending to deceive or mislead the public;

(b) advertising professional superiority or the performance of professional services in a superior manner; advertising prices for professional service; advertising by means of large display or glaring light signs; using in any sign the representation of a tooth, teeth, bridge work or any portion of the human head; employing or making use of advertising solicitors or free publicity press agents; or advertising any free dental work, or free examination; or advertising to guarantee any dental service; or to perform any dental operation painlessly;

(c) advertising to use any anesthetic, drug, formulae, material, medicine, method or system; advertising by public exhibit at residence of practice any appliances used in restorative dentistry; advertising any free dental work or free examination.

This Section 10 and Section 10 A shall not be retroactive, and no license shall be suspended or revoked for any violations of these sections, which violations occurred prior to the taking effect of this Act.

10 A. All advertising by dentists is prohibited by this Act except the following:

(a) A dentist may use a personal professional card of not more than 3½" by 2", upon which may be printed only his name, title, address, telephone number and office hours. Such card may be printed in newspapers or publications of this State, and that which is set forth on the card may be announced over the radio. Not more than one card shall be in any edition of any newspaper or publication at one time; not more than two radio announcements shall be made in any one twenty-four hour period.

(b) A notice may be mailed every thirty (30) days by any dentist notifying any bona fide patient of such dentist that thirty (30) days have elapsed since any dental examination has been made by such dentist.

(c) Signs are authorized as set forth in Section 14 of this Act.

(d) Removal notices may be mailed by any dentist notifying any bona fide patient of such dentist that said dentist is removing his offices from his present address to the address set forth on said notice. Such notice shall not be more than 3½" by 2" and may only contain the name, title, present address, telephone number, office hours, and new address of the dentist who is removing his office. Such notice may be printed in any newspaper or publication. Not more than one notice shall be in any edition of any newspaper or publication at one time.

(e) Notices may be mailed to the general public by any dentist who is about to begin the practice of dentistry notifying the public of this fact. Such notice shall not be more than 3½" by 2" and may only contain the name, title, address, telephone number, and office hours of such dentist. Such notice may be printed in any newspaper or publication. Not more than one notice shall be in any edition of any newpaper or publication at one time.

This Section is severable, and if this Section is declared unconstitutional, the decision so holding the same shall not be construed as impairing any other provision of this Act. It is hereby declared as a legislative intent that this Act would have been adopted had this provision not been included therein.

11. In the event the license of any dentist is revoked or suspended, such fact shall be noted by the Board upon the record of registration, and the registration and certificate of the practitioner so offending shall be suspended or revoked as the case may be; and any person whose registration has been so suspended or revoked under the provisions of this Section shall be deemed an unregistered person and subject, as such, to the penalties prescribed for the practice of dentistry by persons that are not duly registered.

Every licensee whose license has been suspended or revoked by the Board may appeal to the Baltimore City Court of Baltimore City or the Circuit Court of the County wherein the licensee has his or her office where the matter shall be heard de novo, and where either party shall be entitled to a jury trial. The decision of the said Court shall be final and such appeal shall operate as a stay of the order or decision of the Board from which the appeal was taken. All appeals must be taken within fifteen (15) days from the date of the decision of the Board. All costs on appeal shall be paid by the losing party.

12. The proceedings to revoke or suspend any license under Section 10 of this Act may only be taken by the Board upon the complaint of another. All complaints must be in writing, verified by some person familiar with the facts therein charged, and two copies thereof must be filed with the secretary of the Board. All complaints must contain the request that the Board take action against the offender. Upon receiving any complaint the Board shall, if it deems the complaint sufficient following an investigation, pass an order setting the same for a hearing at a specified time and place, and the secretary shall cause a copy of the order and of the complaint, or of a complaint drawn by the Board, to be served upon the accused at least ten days before the day appointed in the order for said hearing. Service upon the accused shall be by delivery of a copy of the order and complaint to the accused in person. In the event the Board is unable to serve the accused in person, the service shall be had by delivery of the same to his last known residence and last known business address, or by sending a copy of the same by registered mail to the accused at his last known residence and last known business address, any of which means shall constitute sufficient notice to justify proceedings with a hearing of the charges. The accused must appear at the time appointed in the order and answer the charges and make his defense to the same, unless for sufficient cause the Board may assign another day for the purpose. If the accused does not appear the Board may proceed with the hearing and finally determine the accusation or complaint, in the absence of the accused. If the accused pleads guilty, or refuses to answer the charges, or upon a hearing thereof the Board shall find said charges or any of them true, the Board may proceed to suspend or revoke the license of the accused for such length of time as the Board, in its discretion, shall deem proper. The Board and the accused may have the benefit of counsel. The Board shall have the power to administer oaths, take the depositions of witnesses in the manner provided by law in civil cases, and to compel the attendance of witnesses by subpoena issued over the signature of the secretary of the Board. The Board shall issue for any and all witnesses requested in writing by the accused.

Whenever any person subpoenaed to appear and give testimony shall refuse to appear or testify before said Board, or to answer any pertinent, relative or proper questions, he shall be deemed in contempt of said Board, and it shall be the duty of the presiding officer of said Board to report the fact to the Superior Court of Baltimore City in the event the party guilty of contempt resides in said City, or has a place of business in said City, or to the Judge of the Circuit Court of the County wherein the party guilty of said contempt resides; thereupon the Court shall issue an attachment in the usual form, directed to the Sheriff of the City or County commanding said Sheriff to attach said person and forthwith bring him before the Court. On the return of said attachment and the production of the person attached, the court shall have jurisdiction of the contempt, and the person charged may purge himself of the contempt in the same way, and the same proceedings shall be had, and the same penalties may be imposed, and the same punishment may be inflicted as in the case of a witness subpoenaed to appear and give evidence in the trial of a civil cause. The Board shall have the power in its discretion, to authorize the payment of fees and traveling expenses of witnesses called before the Board and examined in any proceeding properly before the Board.

13. All signs prohibited by this Act shall be removed within three months after the passage of this Act. Any person or persons who shall prohibit, neglect, fail or refuse to remove any sign prohibited by this Act is guilty of a violation of this Act and subject to the penalties thereof.

14. Each person holding a license under this Act shall exhibit on the door or the wall of the building wherein he shall practice dentistry, not more than two signs on which shall be placed the name and title or degree of such person, the letters of which shall not exceed three inches square. Any person practicing dentistry in any building may exhibit such sign on the door of his office in addition to those on the door or wall of such building.

15. Any person shall be deemed to be practicing dentistry, within the meaning of this Act, (a) who is a manager, proprietor, or conductor of, or an operator in, any place in which any dental service or any dental operation is performed within the mouth of any person; or (b) who for a fee, salary, or other remuneration or reward, paid or to be paid to himself or to another, or gratuitously or otherwise, performs any such service or operation; or (c) who diagnoses or treats, or attempts to diagnose or treat, any disease, lesion, melocclusion, or malposition of a tooth, gum or jaw, in any person, mechanically, medicinally, by use of X-ray, or otherwise; or (d) who attempts to perform in the mouth of any person any operation incident to the repair or replacement of a tooth or teeth; or (e) who publicly or privately applies to himself the title "Dentist" or "Dental Surgeon" or uses the letters D. D. S. or D. M. D., or any other titles or letters in connection with his name which, in any way, represent him as being competent or ready to perform any dental service or any dental operation in any human mouth. This sub-section shall have no application to any person who is the holder of a dental degree who does not, either directly or indirectly, practice, or attempt to practice, dentistry as hereinbefore set forth in this Section 15.

16. Nothing in this Act shall apply to a bona fide student of dentistry in the clinic rooms of a reputable dental college; to a legally qualified physician or surgeon unless he practices dentistry as a specialty; to a dental surgeon of the United States Army, Navy, Public Health Service or Veterans Bureau, in the discharge of his official duties; nor to a lawful practitioner of dentistry of another State, territory or foreign country making a clinical demonstration before a dental society, dental convention, association of dentists, or dental college, or in performing professional duties in connection with a specific case on which he may have been called to the State of Maryland. Nothing in this Article shall apply to public school clinics, to state institutions, to eleemosynary institutions, or to business corporations which may maintain clinics for pupils, inmates or employees only which shall employ only legally qualified dentists. No such public school clinic, State institution, eleemosynary institution, or business corporation shall advertise in any manner or by any method, either directly or indirectly, anything relative to the practice of dentistry. Such institutions are prohibited not only from advertising in violation of this Act, but are prohibited from advertising in any manner anything relative to the practice of dentistry. Nothing in this Article shall prohibit the Dental Division of the State Department of Health, or the Director of the Public School Clinics of the City Health Department from broadcasting educational programs over the radio.

17. All persons now authorized to practice dentistry in this State, and those who may be hereafter registered under the provisions of this Article, shall be exempt from service as jurors in any of the Courts of this State during the continuance of the practice of their profession.

18. The Board shall always be designated as the "State Board of Dental Examiners", and under this name it shall have the right to sue or be sued in the Courts of this State.

19. Any person who shall practice, or attempt to practice dentistry within the State of Maryland, without having a license as hereinbefore provided or during the period of suspension or revocation of such license previously granted shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than fifty dollars nor more than three hundred dollars, or be confined not more than six months in jail, in the discretion of the Judge or Judges of the Circuit Court of the respective counties of this State, or the Judge or Judges of the Criminal Court of Baltimore City, before whom the matter shall be tried; and upon conviction of a subsequent offense, shall be confined not more than six months in jail or fined not less than three hundred dollars or more than five hundred dollars. Any violation of this Article by a person convicted under the then existing laws of this State of practicing dentistry without a license or registration shall be included in the term subsequent offense. Every conviction of unlawful practice subsequent to a first conviction thereof shall be a conviction of a subsequent offense.

20. It shall be the duty of the State's Attorney of the City of Baltimore or of the various counties of this State to prosecute any resident of the City of Baltimore or of the Counties of this State for a violation of this law. The Attorney General or one of his Assistants shall be the legal adviser of the Board.

21. CONSTITUTIONAL CONSTRUCTION. The provisions of this Act are severable, and if any of its provisions are declared unconstitutional, the decision so holding shall not be construed as impairing any other provisions of this Act. It is hereby declared as the legislative intent that this Act would have been adopted had such unconstitutional provisions not been included therein.

22. Nothing contained in this Article shall prevent, or be construed as in any way to hinder the prosecution, conviction or punishment of any person who may offend against any of the provisions of Chapter 564 of the Acts of the General Assembly of Maryland of 1933.

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

Approved: May 18, 1937.

NOW, THEREFORE, I, HARRY W. NICE, GOVERNOR OF THE STATE OF MARYLAND, pursuant to the authority and direction contained in Section 5 (a) of Article 16 of the Constitution of Maryland, do hereby order and direct that this Proclamation containing a full, true and correct copy of Chapters 91 and 306 of the Acts of the General Assembly of Maryland of 1937, be published in at least two newspapers in each of the Counties of the State where so many may be published and where not more than one may be published then in that newspaper, and in three newspapers published in the City of Baltimore, one of which shall be published in the German language, in such manner and for such time as is provided in Section 1 of Article 14 of the Constitution of Maryland. GIVEN UNDER MY HAND AND THE GREAT SEAL OF THE STATE OF MARYLAND. DONE AT THE CITY OF ANNAPOLIS, THIS 20TH DAY OF JULY, IN THE YEAR OF OUR LORD, ONE THOUSAND NINE HUNDRED AND THIRTY-EIGHT.

HARRY W. NICE
By the Governor:
E. RAY JONES
Secretary of State.

CHESTER

Miss Catherine Kirwan, Mrs. Lee Bell and Mrs. Arthur L. Reynolds were visitors in Easton, Tuesday.

Mrs. Lee Bell, Mr. Elmer Golt, Mrs. Elizabeth Steel and Mrs. Annie Harris, of New Jersey, were dinner guests of Mr. and Mrs. Lemuel Kirwan.

Mr. and Mrs. A. L. Reynolds of Washington, D. C., who has been the guest of Mr. and Mrs. Lemuel Kirwan for the past week returned home Saturday. Miss Catherine Kirwan accompanied them home and will be their guest for several days.

Mr. and Mrs. Earl Lewis and son Charles, spent Sunday with her parents, Mr. and Mrs. Charles Kirwan.

Mr. and Mrs. William Harris entertained at dinner Thursday, her nephew and niece from New York, and Mr. Edward Stallings, Miss Dorothy Stallings, and friend, Mr. Joe Slowery.

We are glad to welcome back home, Mrs. Austin Jones who has been a patient for three weeks at Easton Emergency Hospital.

Mr. and Mrs. Leonard Brown and little Lofton Brown motored to Tolchester, Sunday afternoon.

Mrs. Otis Councill and children, of Baltimore, Mr. and Mrs. Walter Conaway, of Georgetown, Del., were guests of Mr. William Legg and daughter, Miss Julia Legg, Saturday and Sunday.

Mr. and Mrs. Albert Porter, of Baltimore spent the week-end with her mother, Mrs. Annie Thomas and on Monday were guests of Mr. and Mrs. Charles Lane.

Mr. and Mrs. Hiram Lewis, Mr. and Mrs. Louis H. Jones and daughter Lois, motored to Harberson, Del., on Sunday and were visitors at Rev. J. P. George's church and from there motored to Rehoboth Beach, Del.

Mr. and Mrs. Lawrence Harrison, of Baltimore, were Sunday guests of Mr. and Mrs. P. E. Thomas.

Mr. and Mrs. Stewart Martin, of Baltimore, were week-end guests of her sister and brother-in-law, Mr. and Mrs. Kennard Harris.

Miss Jean Edenfield, of Balltimore, was a Sunday guest of her grandmother, Mrs. Annie Thomas.

Mr. and Mrs. Kirby Thompson and Mrs. Estella Thompson and son Adrian, Mrs. Marnie Whitaker, were visitors at Rehoboth Beach, Del., last Sunday.

Mr. Leonard Risley has returned home after spending two weeks at Camp Ritchie.

Mr. and Mrs. William Hodges of Baltimore, spent the week with Mr. and Mrs. Carroll Baxter.

Rev. J. F. Langrall was a dinner guest of Mr. and Mrs. Jacob Gardner Friday evening.

Miss Mary Elmyra Sparks spent the week-end with her uncle and aunt, Mr. and Mrs. Maxwell Kelly of Annapolis.

Mrs. Hiram Lewis, Mrs. Deborah Harris, Mrs. Louis Jones, Mrs. Estella Thompson and son Adrian, Mrs. Louis H. Jones and daughter Lois, were guests of Mr. and Mrs. Robert Marville of Easton, last Wednesday.

Mrs. Jacob Tolson, Mrs. Hillary Kelley and daughter Ava, Mrs. Carroll Baxter and daughter Antonia, spent Thursday at Laurel, Del., and Salisbury.

Mr. Earl Kelley, Mr. Jack Gardner, Mr. Ernest Porter, Miss Doris Palmer, Miss Mae Keley, visited the Kent-Sussex Fair at Harrington, Del., last Saturday.

Mrs. Warfield Seward and daughter Anita and Mr. Cleveland Thomas, were Easton visitors last Thursday.

Misses Alice and Elnora Walters and Mr. Bernie Ringgold, motored to Tolchester Beach, Sunday.

Mr. and Mrs. Olin Wyatt; Mr. and Mrs. Frank Timms; Mr. Bobby and Louis Timms, and Miss Marlene Wyatt, went to Denton Camp, Sunday.

Mr. James Thomas has recovered from his illness.

Mrs. Otis Counsel and children, of Baltimore visited Mr. and Mrs. James Thomas, sr., one day last week.

Mr. Vernon Clarke motored to Philadelphia, Sunday.

The Junior 4-H Club had a picnic at Romancoke, Tuesday.

Chopped Alfalfa Hay Heats Faster, Packs Better

Some farmers chop alfalfa before storing it in the mow. Others stack it or store it "as is." Recent investigations by the Bureau of Dairy Industry of Agriculture show both methods have advantages.

Long hay did not heat as much in the mow as the chopped hay. It reached a maximum temperature of 81° Fahrenheit and declined to 72° within 2 days. The chopped hay, however, reached a maximum of 106° within 2 days and declined to 76° in 16 days. After 150 days of storage, the carotene content of the long hay was about 50 percent greater than that of the chopped hay. The long hay retained its green color somewhat better, with 54 to 57 percent as much green color as the greenest alfalfa hay. The chopped hay had only 47 to 48 percent as much as the greenest alfalfa hay.

But there are advantages for chopped hay, says the Bureau specialists. More can be stored in a given space. Less work is required in the mow at time of storage. It is more easily removed. In the case of stemmy hays, consumption is more complete because the leaves are not so readily selected from chopped hay as from long hay.

Only dry, well-cured hay should be chopped, results of 2 years' experiments show. The hay should not be chopped finer than three-fourths of an inch. Both high moisture content and fine chopping increase temperature in the mow and bring about destruction of the color and carotene. Under certain conditions the temperature may become high enough to make a fire hazard.

Fedeing tests show the chopped hay is as palatable as the long hay. Cows fed the chopped hay produced slightly more milk than cows fed the long hay, despite the lower consumption of nutrients. This slight difference in producton, however, could reasonably be expected with hay that is practically identical in quality, say the Bureau workers.

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