CHAPTER 30.

AN ACT to enable the registered and qualified voters of the City of Baltimore, Baltimore County, the 1st and 3rd Precincts of the Fifth District of Anne Arundel County, Annapolis City, Allegany County, Washington County, Frederick County, Prince George's County, Ellicott City and Havre de Grace, each as a separate political unit to determine by ballot whether or not the sale, manufacture for sale and transportation for sale of alcoholic, spirituous, vinous, malt and intoxicating liquors for beverage purposes shall be forever prohibited in the said political units above designated, respectively, from and after May first, one thousand nine hundred and eighteen; providing for the submission of such question to the voters of each political units herein designated and declaring the effect of such election.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That the question whether or not the sale, manufacture for sale and transportation for sale of alcoholic, spirituous, vinuous, malt and intoxicating liquors for beverage purposes shall be forever prohibited in the City of Baltimore, Baltimore County, the 1st and 3rd precincts of the Fifth District of Anne Arundel County, Annapolis City, Allegany County, Washington County, Frederick County, Prince George's County, Ellicott City and Havre de Grace, respectively, from and after May first, one thousand nine hundred and eighteen, shall be submitted to the registered and qualified voters of said political units herein designated at the general election to be held on the first Tuesday after the first Monday in the month of November, A. D., one thousan nine hundred and sixteen; and the Supervisors of Baltimore City and the Supervisors of Elections of or exercising jurisdiction over each of the political units herein designated shall have printed upon the ballots to be used at the general election held on the first Tuesday after the first Monday in November, A. D., one thousand nine hundred and sixteen, in a separate column to follow immediately after the names of candidates the following proposition in clear, plain, bold Roman capitals, twelve-point pica type: "Shall the sale, manufacture for sale and transportation for sale of alcoholic, spirituous vinuous, malt and intoxicating liquors for beverage purposes in the . . . (county, city, town or village as the case may be) be prohibited from and after May first one thousand nine hundred and eighteen;" after which shall be printed on separate lines with a square or box to the right and opposite the words "for prohibition" and a corresponding square or box to the right and opposite the words "against prohibition" on the ballots printed in each of said political units, the blank above indicated shall be filled in with the name of the respective political unit so voting as aforesaid.

The Governor of this State shall give notice by publication in two newspapers published in each of the political units herein designated, or if only one newspaper is published in any such unit, then such notice shall be published in one newspaper, or if no newspaper is published in any of such units, then in a newspaper published in the county of which such unit is a part and three newspapers published in Baltimore City, one of which shall be printed in the German language, giving at least three months' notice that such question shall be submitted to the voters of each of the political units herein designated for their adoption or rejection; and the Secretary of State shall, not less than thirty days before the date of said election, certify the same to the Board of Supervisors of Elections of or exercising jurisdiction over each of the political units herein designated and to the Board of Supervisors of Elections of the City of Baltimore, whose duty it shall be to forthwith give notice by advertisement and otherwise of the submission of such question; provided, however, that if for any reason said notice shall not be given or not given in the manner prescribed by law, such failure of publication of said notice shall not affect the validity of this Act nor operate to prevent its taking effect.

SEC. 2. *And be it enacted*, That the proposition above mentioned shall be so printed as to give each voter a clear opportunity to designate in a cross (X) in a square opposite the words "for prohibition" and in a square opposite the words "against prohibition" his answer to such question; that one challenger and one watcher may be designated for each precinct of each of the political units herein designated by the chairman of the committe managing in each of such political units the interest of those conducting the campaign favoring and those opposing such proposition, the said challengers and watchers to have the same powers and duties which are conferred upon challengers and watchers at general elections held in this State by Section 64 of Article 33 of Bagby's Annotated Code of Public General Laws of Maryland, and a certificate signed by the aforesaid chairman shall be sufficient authority for such challenger and watcher to perform their duties. The name of each chairman shall be filed with the Board of Supervisors of Elections at least thirty days before said election.

The laws now in force for the conduct of general elections in each of the political units herein designated and the provisions and requirements of the Corrupt Practices Act shall apply in all particulars to the elections provided for by this Act.

SEC. 3. *And be it enacted*, That the Supervisors of Elections of each of the political units herein designated and of Baltimore City shall canvass these returns in like manner as other election returns and they shall certify the number of votes cast "for prohibition" and "against prohibition," respectively, and the said Board of Election Supervisors shall file their certificates with the Clerks of the Circuit Court of the several political units herein designated or having jurisdiction over the same and with the Clerk of the Superior Court of Baltimore City, as the case may be, and shall forward at once by registered mail to the Secretary of State a duplicate copy of said certificates, and the Secretary of State shall within thirty days from the date of said election, provided no contest has been filed, make a certificate to the Governor showing the total number of votes cast "for prohibition" and the total number of votes cast "against prohibition" in each of the political units herein designated, and upon receipt of this statement the Governor shall forthwith issue a proclamation declaring the result of the election in each of the political units herein designated and calling attention to its effects under this Act, and said proclamation shall be recorded in a well bound book in the offices of the Clerks of the Circuit Court for the several counties or having jurisdiction over said political units herein designated and in the office of the Clerk of the Superior Court of Baltimore City and in the office of the Secretary of State, and the vote upon said proposition and such result may be proved in all the courts and in all proceedings by such record or by a certified copy of the proclamation under the hand and seal of the Secretary of State.

SEC. 4. *And be it enacted*, That if upon receipt by the Governor of a certificate from the Secretary of State showing the result of such election in each of the political units herein designated it shall appear that a majority of the voters in any such political unit qualified under the laws of this State to participate in such election voting on this question in such election have voted "against prohibition" then the laws relating to the sale, manufacture for sale and transportation for sale of alcoholic liquors for beverage purposes in such political units so voting against prohibition in effect at the date of this election shall continue in force and effect unless or until otherwise changed by the General Assembly of Maryland or by a majority vote of the qualified electors of this State.

SEC. 5. *And be it enacted*, That if upon receipt by the Governor of a certificate from the Secretary of State showing the result of such election in each of the political units herein designated it shall appear that a majority of the voters in any such political unit qualified under the laws of this State to participate in such election voting on this question in such election have voted "for prohibition," then he shall forthwith issue his proclamation to this effect, and on and after the first day of May, one thousand, nine hundred and eighteen, it shall be unlawful for any person, persons, social club firm or corporation to manufacture for sale, sell or purchase for sale, transport for sale, dispense or otherwise dispose of any alcoholic, spirituous, vinous, fermented, distilled or malt liquors or intoxicating bitters or liquid mixtures or preparations, whether patent or not, which will produce intoxication in such political unit so voting for prohibition, except for medicinal, pharmaceutical, scientific, sacramental, or mechanical purposes as may be allowed under the provisions of such acts as the General Assembly of Maryland shall pass at its regular session held next after the date of such election or any subsequent session allowing such sale for such purposes only. And any person, persons, social club, firm or corporation manufacturing, selling, transporting, dispensing or disposing of any alcoholic, spirituous, vinous, fermented distilled or malt liquors within such political unit or units so voting for prohibition shall be liable for all the penalties now or hereafter prescribed for manufacturing, selling, dispensing or disposing of alcoholic, spirituous, vinous, fermented, distilled, malt and intoxicating liquors without a license; and any place used for purposes in violation of this section, such use is hereby declared a nuisance and shall be abated as such.

SEC. 6. *And be it enacted*, That any qualified voter of any political unit herein designated may contest the election on this question hereby submitted to the voters of such political unit or demand a recount of the ballots cast on such question in any election precinct or district of any such political unit by filing a petition setting forth the grounds of such contest or recount, verified by affidavits with the Clerk of the Circuit Court for the County or the Clerk of the Superior Court for Baltimore City, as the case may be, within not more than five days from the date of the canvass of the returns by the election Supervisors, and upon the filing of bond for the costs in the penalty to be fixed by the resident Judge or the Judge at that time presiding over the Court in which the contest is instituted, with surety or sureties to be approved by him, a summons shall forthwith issued from such Court addressed to the Supervisors of Elections for or having jurisdiction over such political unit or for the City of Baltimore in which such contest is instituted, notifying them of the filing of such petition and directing them to appear in such court with the ballots and ballot boxes of the precinct or precincts in which the irregularities are charged, at the time named in such summons, which shall be not less than five nor more than ten days from the filing of such petition. The procedure in such cases shall be the same as that provided by the law for contesting any election for public office so far as the same is applicable.

In case of a contest of election in any precinct of any political unit herein designated or the City of Baltimore as the case may be, the Board of Supervisors of Elections shall withhold the certificate of such election returns for such political unit or the City of Baltimore in which such precinct is located until the court decides such contest. Immediately following such decision of the court the Board of Supervisors of Elections shall make the returns as herein provided; such decision shall be made by the court not later than six months from the date of the election.

The said court shall have final jurisdiction to hear and determine the merits of such cases, and if the said court shall discover that fraud has been committed in any precinct and the legal votes cannot be separated from the illegal votes or ballots so that the correct result can be ascertained, then the whole number of ballots cast in such precinct on said question so submitted to the voters of the political units herein designated shall be rejected by the said court and not counted and the Supervisors of Elections shall not make any return of the votes cast in such precinct, and the rejection of such ballots shall in no way render invalid the result of such election.

SEC. 6a. This act shall not apply to nor prohibit the manufacture for sale of alcoholic, spirituous, and vinous, malt and intoxicating liquors by persons and corporations now engaged in the manufacture thereof or the transportation thereof by said persons and corporations where such liquors are manufactured for sale and sold only for delivery for shipment to places beyond the State or to places within the State where such sale is not now or hereafter prohibited by law.

SEC. 7. *And be it enacted*, That this act shall take effect from the date of its passage.

Approved, March 17, 1916.

CHAPTER 160.

AN ACT to repeal Sections 184, 185, 195 and 198 of Article 33 of the Annotated Code of Maryland, title "Elections," sub-title "Primary Elections," and to re-enact said sections with amendments, so as to abolish what is known as the Envelope System of voting in Primary Elections; and also to add a new section to said Article 33 of said Code, to follow immediately after Section 198 thereof, and to be known as Section 198a, providing that offenses committed under the said sections repealed and re-enacted by this Act before this Act takes effect, shall be prosecuted and punished as if this Act had never been passed.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Sections 184, 185, 195 and 198 of Article 33 of the Annotated Code of Maryland, title "Elections," sub-title "Primary Elections," be and the same hereby are respectively repealed and respectively re-enacted with amendments so as to read as follows:

184. Official ballots shall be prepared *and printed* for such primary elections in Baltimore City and in the several counties, respectively, by the said several Board of Supervisors of Elections for said city and said several counties, respectively, *as is now provided by this Article for general elections, except as otherwise provided for in this sub-title*, and except that on the back and outside of all such official ballots shall be printed only the words "Official Ballot For," followed by the designation of the county or legislative district of Baltimore City, as the case may be, for which it is prepared and said several Boards of Supervisors of Elections shall print or cause to be printed on said official ballot the names of all candidates for office to be voted for, and for delegates to any convention, or for party executive or executives, or for membership of any executive committee or managing body of any political party, who shall become duly qualified by the payment of the amount herein named, when any payment is herein required, and shall have filed a certificate in writing with the Board of Supervisors of Elections in Baltimore City or in any of the counties, as the case may be, containing the name of the person seeking a nomination for office or to be a delegate to a convention, or an executive or member of an executive committee or managing body of a political party, his residence, place where he is a registered voter, his address, the office or position for which he seeks to be nominated or selected, and the party to which he belongs, and duly acknowledged by the person filing such certificate for such nomination or selection before an officer duly authorized to take acknowledgments, who shall append a certificate of such acknowledgment. The certificate to be filed by a candidate seeking to be elected as a delegate to a convention shall, moreover, specify the convention to which he seeks to be elected. All such certificates must be filed and payments made by candidates for the nomination of Governor, Comptroller, Attorney-General and Clerk of the Court of Appeals not less than thirty days before the day of said primary election, and by all other candidates not less than twenty days before said primary election. The names of the several candidates for nomination or for delegates, executive or member of an executive committee, or managing body of a political party aforesaid, shall be published seven days before the said election in the mode prescribed in *Section 49 of this article*, as far as may be practicable. It shall not be necessary to print sample ballots or cards of instructions for such elections, but either or both shall be printed by the Board of Supervisors of Elections of the City of Baltimore, when requested by any candidate in said primary election, said request to be accompanied by a sum of money necessary to cover the cost of printing. Each candidate for nomination for public office at a primary election shall pay the sum of twenty-five ($25.00) dollars for each county or legislative district of Baltimore City in which his name appears upon the ballot; provided, that in any county where the salary of the office for which nomination is sought is three hundred ($300.00) dollars or less, such payment shall be ten ($10.00) dollars; upon filing his respective certificate with the Board of Supervisors of Elections; but candidates for Governor, Attorney-General, Comptroller or Clerk of the Court of Appeals of the State shall file their said certificates of nomination with the Secretary of State at Annapolis, and the Secretary of State, immediately on receipt of the same shall certify the fact of said filing and the name and description of each person so filing said certificate as specified therein to the Supervisors of Elections of Baltimore City and of every county in the State. Said candidates for Governor, Comptroller, Attorney-General and Clerk of the Court of Appeals, upon filing their respective certificates with the Secretary of State as aforesaid, shall each pay to him the sum of two hundred and seventy ($270.00) dollars, which in turn shall be transmitted by him in sums of ten ($10.00) dollars each to the Supervisors of Elections of each county of the State, and the sum of forty ($40.00) dollars thereof to the Supervisors of Elections of Baltimore City; and the Board of Supervisors of Elections of Baltimore City shall pay over the amount so received to the Mayor and City Council of Baltimore, and the Board of Supervisors of Elections for each county shall pay over the amount so received to the County Commissioners of each county, respectively; and all the expenses of each of said primary elections in Baltimore City shall be paid by the Mayor and City Council of Baltimore; and all the expenses of holding said primary elections in each county, respectively, shall be paid by the County Commissioners of each county, respectively, precisely as the expenses of the State, City and County elections are now paid under existing laws; *and the said ballots shall be prepared and printed in number not less than twice the number of registered voters of the respective political parties participating in such primary, as nearly as the same may be estimated, and shall be delivered by such Boards of Supervisors of Elections to the election officials as provided in this Article for general elections.*

185. The names of candidates for nomination for each office or for each place or position aforesaid, respectively, shall be arranged alphabetically upon the ballots according to the surnames of the candidates. Ballots in all said primary elections shall be cast, counted and canvassed and the result of the election announced and certified in Baltimore City and in each of the counties of the State, as now provided by this *Article for general elections;* and the said primary elections shall be held and conducted and determined in the manner and form provided by this Article for general elections, and subject to all the regulations, requirements and provisions as prescribed by this Article for general elections in so far as the same are or may be applicable to said primary elections and except as may be herein provided. And the provisions of the general election law, governing election contests are hereby expressly declared to be applicable to such primary elections. Challengers and watchers representing the candidates in any said primary elections shall be allowed to be present at the several voting places during the voting and counting of the ballots, as provided in *this Article* with respect to general elections. As each voter's name shall be entered in the poll book kept by the two clerks of election, there shall be entered opposite his name the name of the party whose candidate or candidates he voted for. If in Baltimore City or in any county more names are marked for any office than there are persons to be voted for, such ballots shall not be counted for such candidate or delegates, or other persons to be voted for, as the case may be; but the whole ballot shall not for that reason be rejected for candidates for other offices or positions, if any.

195. If any person upon the day of such primary election, or before the canvass of the votes is completed, shall conceal or wilfully break or destroy any ballot-box used or intended to be used at such primary election, or shall wilfully or fraudulently conceal, secrete or remove any such ballot-box or the book of registry or any of the *ballots*, stubs or coupons or other paraphernalia provided for holding such primaries from the custody of the judge or judges of primary election or other proper persons in charge thereof, or shall alter, deface, injure or destroy or conceal any ballot which has been deposited in any ballot-box at such primary election which has not been counted and canvassed, or any poll list or book of registry used at such primary election or any report, return, certificate or any evidence in this subtitle required, or any person who shall print or circulate as an official ballot one that is not official and complete, he shall, upon conviction thereof, be adjudged guilty of a felony and shall for each and every such offense be punished by imprisonment in the penitentiary for not less than one or more than five years.

198. Whoever shall electioneer within one hundred feet of any polling place of any such primary election in any county or shall hand or deliver to any voter within one hundred feet of the election booth or within the booth itself any ballot marked or unmarked, except the unmarked ballot required by law to be handed the *voter* by the primary election officials, or who shall place a distinguishing mark upon any ballot delivered to for the use of any voter at such primary election, or who shall endeavor to induce any voter within the polling place to show how his ballot has been marked, or who shall deliver to any voter for use in casting his ballot, or use any ballot different from those provided for in this sub-title, or who shall show the face of a marked ballot to any judge, clerk, officer or other person inside of the polls before the polls close, who shall induce, request, directly or indirectly agree with or encourage a voter to keep his ballot in sight of any person or persons from the time at which its contents are known by any such person or persons or his associate or associates until delivered to the judge to be deposited in the ballot-box, shall, upon conviction thereof, be punished by a fine of not less than fifty ($50.00) dollars nor more than two hundred ($200.00) dollars, or by imprisonment in jail for not less than fifteen days nor more than six months, or by both such fine and imprisonment, and one-half of such fine collected shall be paid to the informer.

SEC. 2. *And be it further enacted*, That a new section be and the same hereby is added to said Article 33 of the Annotated Code of Maryland, to follow immediately after Section 198 of said Article, to be known as Section 198A, and to read as follows:

198A. Any and all violations of any of the provisions of Sections 184, 185, 195 and 198 of said Article 33 of the Annotated Code of Maryland, as the same exist at present which may occur or be committed at any time prior to the time when this Act shall take effect, shall be prosecuted and punished, either before or after this Act takes effect, in all respects as if this Act had never been passed.

SEC. 3. *And be it further enacted*, That it is hereby declared that this law is an emergency law and necessary for the immediate preservation of the public health or safety.

SEC. 4. *And be it further enacted*, That this Act shall take effect from the date of its passage.

Approved, April 4th, 1916.

CHAPTER 655.

AN ACT to add a new section to Article 27 of the Code of Public General Laws of Maryland (Annotated Code of Maryland), title "Crimes and Punishments," sub-title "False Pretences," said new section so added to follow immediately after section 123 to be known as section 122A of said Article 27, making it a misdemeanor for any person by any false pretence to obtain a credit or rating from any person, firm, corporation, association, mercantile or rating agency, or who shall cause or procure any person, firm, corporation, association, mercantile or rating agency, to publish or furnish to any third person any rating or credit obtained by any false pretence made to such person, firm, corporation, association, mercantile or rating agency; and who shall obtain from any third person any goods, wares, merchandise, credit or anything of value upon such credit or rating so obtained, procured or furnished and to provide a punishment therefor.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That a new section known as Section 122A be and the same is hereby added to Article 27 of the Code of Public General Laws of Maryland (Annotated Code of Maryland) title "Crimes and Punishments," sub-title "False Pretences," to follow immediately after Section 122 and to read as follows:

122a. Any person who shall by a false pretence obtain a credit or rating from any person, firm, corporation, association, mercantile or rating agency, or who shall cause or procure any person, firm, corporation, association, mercantile or rating agency to publish or furnish to any third person any rating or credit obtained by any false pretence made to such person, firm, corporation, association, mercantile, or rating agency, and who shall obtain from any third person any goods, wares, merchandise, credit or anything of value upon the credit or rating obtained, procured, published or furnished as aforesaid shall be deemed guilty of a misdemeanor and shall be punished as provided in Section 122 of Article 27 of the Annotated Code of Maryland.

SEC. 2. *And be it further enacted*, That this Act is one of emergency, and necessary for the immediate preservation of the public safety, it shall take effect from the date of its passage.

Approved, April 18, 1916.

Colorado, Missouri, Oklahoma and Nebraska, the States bordering on Kansas, can each boast many more millionaires than she, with her less than a dozen, but the Kansas per capita wealth is higher than any of theirs, and Kansas smiles.

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