Kent News.

CHESTERTOWN - MAY 10, 1890

A Strange Coincident.

In some reminiscences of the law, written by Rev. I. Lews, and published in the Texas *Christian Advocate*, we find the following given as literally true:

"A curious fulfillment of a dream occurred at the battle of Prairie Grove, under my own eyes. A man by the name of Joe Williams had told a dream to many of his fellow soldiers, some of whom had repeated it to me months before the occurrence which I am about to relate. He dreamed that we crossed the river, marched over a mountain and camped near a church located in a wood, near which a terrible battle ensued, and in a charge, just as we crossed a ravine, he was shot in the breast. On the ever memorable 7th of December, 1862, as we moved at double-quick to take our place in the line of battle, then already hotly engaged, we passed Prairie Grove church a small structure belonging to the Cumberland Presbyterians. I was riding in the flank of the command, and opposite to Williams, as we came in view of the house. 'This is the church, Colonel, I saw in my dream,' said he. I made no reply, and never thought of the matter again until in the evening. We had broken the enemy's line and were in full pursuit, when we came upon a dry ravine in the wood, and Williams said: 'Just on the other side of this hollow I was shot in my dream, and will stick my hat under my shirt.' Suiting the action to the word as he ran along he doubled it up and crammed it into his bosom. Scarcely had he adjusted it before a minnie ball knocked him out of line. Jumping up quickly, he pulled out his hat, waved it over his head and shouted: 'I'm all right!' The ball raised a black spot about the size of a man's hand just over his heart and dropped into his shoe."

The Fascinating Men.

A curious study is the consideration of the kind of men who fascinate women. I have known a man, a fellow with the head and hair of a tramp, and the dress of a doctor with a lean practice, a person who wriggled like a snake when he walked and had a clammy hand, yet this person was a perfect woman-killer. One girl was betrothed to him for three years, and then he jilted her coldly for a new flame. The new love affair ended with a tragedy, for when in turn he shook the new love off, the restless, grief-stricken girl ended her troubles forever in a neighboring river. There were other women who loved the fellow almost desperately, although they consoled themselves more easily. What they could ever see in the man to fall in love with passeth all understanding. There was another great lady-killer, who seemed to melt women's hearts as a hot roll melts butter. He promised to be one of the great men of the country, and women bowed down and worshiped his supposed intellectual powers. There were five romantic school girls in love with him at once, if I remember. Friends, relations, and enemies alike prophesied a future of extraordinary brilliancy for him, and he could have his "pick and steal" of all the young ladies in the country. Well, the man who was to stand upon the topmost pinnacle of intellectual greatness is now a schoolmaster and a second-rate one at that, with an insignificant wife, who is the merest stick-in-the mud. Probably he thinks about his old flames.

A New View of the Road Question.

The *Scientific American* in discoursing on "The Need of Good County Roads," has the following: "College professors, civil engineers and magazine writers are directing public attention to the subject of county highways and the Vanderbilt University in Tennessee has gone so far as to provide for the free instruction in road engineering of one person from each county in that State. It is stated by parties who made the subject a study that the power required to draw a wagon weighing with its load one ton on a level, macadamized road of broken stone is sixty-five pounds which is increased to two hundred pounds on a common dirt road. Professor Ely, of Johns Hopkins University, estimates that poor roads cost the farmer on an average, $15 per horse, and Professor Jenks of Knox College, Illinois, argues that with good, permanent roads freight could often be hauled ten miles on wagons cheaper than it could be taken one mile on a dirt road to a railroad station, unloaded, put on the cars, and carried to its destination. Of the social influence of good roads, he says that a large part of the mental inspiration of farmers depends on their ability to attend church, lectures, concerts, and social gatherings at a distance; and really good roads by enabling them to go so much more easily, would doubtless raise the whole intellectual tone of the farming community, besides keeping within the healthful influence of the farm many who are now forced into towns."

A WHISTLING WELL.

How it Acts as a Reliable Authority on the Weather.

From the Pittsburg Dispatch.

In the town of Great Valley in Cattaraugus county, there is an interesting curiosity known locally as the "whistling well," located on the farm of Colonel Wesley Flint. About forty-five years ago the well was dug by the colonel's father to the depth of 45 feet, but no water accumulated, and the well was put down as a flat failure. A strong current of air was noticed rushing into the well at times and at other times rushing out of it.

A flatstone with a 1¾-inch hole was fitted over the hole and a whistle placed in it, which changed its tune as the air was drawn up or down. This whistle proved a reliable weather barometer. In settled weather the whistle was silent, but an approaching storm was heralded by a warning shriek of the whistle as the air rushed out of the well, but as clear weather approached the current of air changed and was drawn into the well and the faithful whistle changed and told its story by its changed tone. The whistle has long since been worn out, but the well continues to tell the changes in the weather. In rainy weather the well forces up a stream of spray

How a Charge of Shot Travels.

When standing within a few yards of the gun's muzzle at the time of discharge, a person would be amazingly astonished were he only able to see the shot as they go whizzing by. Experiments in instantaneous photography have proved to us that the shot not only spread out, comet-like, as they fly, but they string out one behind the other to a much greater distance than they speed. Thus, with a cylinder gun, when the first shot of a charge reaches a target that is forty yards away, the last shot is lagging along ten yards behind. Even with a chokebore gun some of the shot will lay behind eight yards in forty. This accounts for the wide swath that is moved in a flock of ducks on which a charge of shot falls just right. About 5 per cent only of the charge of shot arrive simultaneously at the target, but the balance of the first half of the charge is so close behind that a bird's mustles are not quick enough to get out of the way, although those who have watched sitting birds when shot at have often seen them start as if to fly when the leading shot whistled by them, only to drop dead as they were overtaken by the leaden ball that followed.

From a Girl's Composition on Boys.

Boys is men that have got as big as their papas, and girls is young women that will be young ladies by and by. * * * * Man was made before woman. When God looked at Adam he said to himself, "Well I guess I can do better than that if I try again," and then he made Eve. God loved Eve so much better than he did Adam that there has been more women in the world ever since. * * * Boys are a trouble. They are very wearing on everything but soap. * * * If I could have my way half the boys in the world would be little girls and other half would be dolls. * * * My papa is so nice to me that I guess he must have been a girl when he was a little boy.

LOCAL LAW for KENT COUNTY

Passed at Session of Maryland Legislature, 1890.

THE CHESTER BRIDGE LAW.

CHAPTER 85.

AN ACT supplementary to "an Act to authorize the County Commissioners of Kent county and the County Commissioners of Queen Anne's county to purchase the capital stock of the Chester Bridge Company, and to provide for for the payment thereof by levies on the taxable inhabitants of said counties, and to make said bridge a free public bridge or thoroughfare, and to appoint a keeper thereof, and to provide for the payment of the keeper's salary and keeping said bridge in repair, and to provide for the taking of the sense of the people of said counties preliminary to the exercise of the aforesaid powers," passed at the January session of 1888, of the General Assembly of Maryland, chapter 376, and to vest other and additional powers in the County Commissioners of said counties relating to the purchase of the capital stock of said Chester Bridge Company.

WHEREAS, By chapter 376, of the Acts of 1888, the County Commissioners of Kent county and of Queen Anne's county, respectively, were authorized to purchase the bridge across Chester River at Chestertown, belonging to the Chester River Bridge Company, and to provide for the payment thereof by levies on the taxable inhabitants of said counties, and to make said bridge a free public bridge or thoroughfare; and

Whereas, Said Chester Bridge Company was designated in said Act the "Chester River Bridge Company;" and

Whereas, It is desired to correct the error in the name of said Chester Bridge Company, and to modify and change some of the conditions of the purchase authorized by said Act; now, therefore,

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That the County Commissioners of Kent county and the County Commissioners of Queen Anne's county, respectively, instead of providing for the payment of the capital stock and property, franchises, rights and privileges of said Chester Bridge Company, in case of the purchase thereof in three equal annual instalments of one, two and three years by levies as provided in said Act to which this is a supplement, be and they are hereby respectively authorized, empowered and directed to issue coupon bonds of their respective counties, according to their respective proportions of the sum necessary to purchase said capital stock, property, franchises, rights and privileges as may be agreed on between them in denominations of not less than one hundred dollars, nor more than five hundred dollars, and to an amount not exceeding their respective proportions or par value of the capital stock of said Chester Bridge Company, or such other sums less than that as may be required to make said purchase, said bonds to bear interest at a rate not exceeding six per cent. per annum, payable annually, and to mature and fall due as follows: one-third of the whole amount thereof in eleven years from the date of issuing the same; one-third thereof in thirteen years from the date of issuing the same, and the remaining third thereof in fifteen years from the date of issuing the same, and the bonds issued under this Act shall not be liable to taxation for State, county, municipal or town purposes, and said bonds issued by the County Commissioners of Kent county shall be signed by the President of said Board of County Commissioners, and countersigned by the clerk thereof, and under the corporate seal of said Board of County Commissioners; and the said County Commissioners, jointly or severally, are authorized and empowered to sell and dispose of said bonds at not less than their par value, and to apply the proceeds thereof to the payment of the capital stock, property, franchises, rights and privileges of said Chester Bridge Company, and the said Commissioners shall, respectively, levy annually on the taxable inhabitants and property of their respective counties a sum of money sufficient to pay the interest on the bonds to be issued as aforesaid for their respective counties, and shall respectively, levy on the taxable inhabitants and property of their respective counties, a sum of money sufficient to pay the principal of said bonds to be issued by them respectively, as aforesaid, as they mature, and that said purchase, if practicable, shall be effected at the earliest date possible.

SEC. 2. *And be it enacted*, That said Commissioners for their respective counties are authorized and empowered to levy on the taxable property of their respective counties, in such proportions as may be agreed on between them, a sum or sums of money sufficient to place said bridge in safe and satisfactory condition for public use and travel, excepting that no steam engine, traction or any other kind, shall be permitted to pass over said bridge, without the written authority of a majority of each of the Board of Commissioners for said counties.

SEC. 3. *And be it enacted*, That whenever the County Commissioners of Kent county and the County Commissioners of Queen Anne's county, respectively, shall have agreed with the stockholders of the Chester Bridge Company for the purchase of the capital stock, property, franchises, rights and privileges of said Bridge Company, as authorized by the Act of 1888, chapter 376, to which this Act is a supplement, which capital stock, property franchises, rights and privileges the said Bridge Company is hereby authorized to sell to said counties; and whenever the purchase money so agreed on shall have been paid, then the said Chester Bridge Company is hereby authorized to convey to the said commissioners of Kent county and Queen Anne's county, by deed as authorized in said Act of 1888, chapter 376, the said bridge over the Chester river, together with the toll house and grounds, the capital stock and all franchises of said Chester Bridge Company, not including, however, any judgments, mortgages, bank stock, securities, investments, claims or accounts against individuals belonging to said Chester Bridge Company, and that thereafter said bridge shall be taken, held and perpetuated as a free public bridge between said counties.

SEC. 4. *And be it enacted*, That any person having any right of action against said County Commissioners for or on account of said bridge, may sue either Board of Commissioners as he may elect; and for any recovery in any such suit the commissioners of the other county shall be liable to contribute in proportion to its ownership in said bridge.

SEC. 5. *And be it enacted*, That the County Commissioners of Kent county and of Queen Anne's county, a majority of each concurring, shall have full power and authority to make reasonable rules and regulations for the use of said bridge by the public, and for the protection of said bridge and other property belonging thereto or therewith, and to enforce the observance thereof by imposing upon the party violating the same any reasonable fine not exceeding ten dollars for any violation thereof, which fines shall be collected as small debts are now collected, and shall be recovered in the name of the County Commissioners of said counties before any Justice of the Peace of either of said counties in which the party violating such rules and regulations shall be found, and on failure or refusal to pay, and inability to collect by legal process, the party so fined shall be committed to the county jail of the county for a period not exceeding ten days, in the same manner as commitments are made for fines imposed by the Circuit Courts of this State on conviction for misdemeanor, and the Justice of the Peace shall make this a part of his judgment, "and said fines shall be applied to the keeping of said bridge in repair."

SEC. 6. *And be it enacted*, That the deed from said Chester Bridge Company to said County Commissioners of Kent county and of Queen Anne's county shall be recorded in both of said counties.

SEC. 7. *And be it enacted*, That the levies under this Act and the act to which this is supplementary, shall not, nor shall any part thereof be paid or be payable to the Town Commissioners of Chestertown, and that section 71, of Article 13, of the Code of Public Local Laws, titled "Kent County," sub-title "Chestertown," shall not apply to nor effect any levies for the purchase or repair of said bridge.

SEC. 8. *And be it enacted*, That all parts of the Act to which this is a supplement which are inconsistent with this Act, and only such parts thereof, and no other, are hereby repealed.

SEC. 9. *And be it enacted*, That upon the completion of said purchase and sale, and the execution and delivery of said deed, said Chester Bridge Company shall be released from all liability for or on account of said bridge.

SEC. 10. *And be it enacted*, That this Act shall take effect from the date of its passage.

Approved March 14th, 1890.

ELIHU E. JACKSON, GOVERNOR.

R. F. BRATTAN, President of the Senate.
JOHN HUBNER, Speaker of House of Delegates.

State of Maryland, set.:

I, SPENCER C. JONES, Clerk of the Court of Appeals of Maryland, do hereby certify that the foregoing is a full and true copy of the act of the General Assembly of Maryland, of which it purports to be a copy, as taken from the original law belonging to and deposited in the office of the Clerk of the Court of Appeals aforesaid.

In testimony whereof I have hereunto set my hand as Clerk, and affixed the seal of the said Court of Appeals, this twenty-ninth day of March, A. D., 1890.

(SEAL)

SPENCER C. JONES,
Clerk Court of Appeals of Maryland.

SHERIFF'S NOTICE

—OF—

ELECTION!

TO THE JUDGES OF ELECTION AND VOTERS OF KENT COUNTY:

NOTICE IS HEREBY GIVEN to the Judges of Election and Qualified Voters of Kent County, that in accordance withe the provisions of chapter 517 of the Acts of the General Assembly of Maryland, passed at its January Session, 1890, a copy of which Act, as required thereby, is appended to this notice, an election will be held on

SATURDAY, the 10th day of May, 1890

at the usual places of voting in the several election districts and precincts of said county, namely:

For District No. 1.....at MASSEYS
For District No. 2.....at KENNEDYVILLE
For District No. 3.....at SMITHVILLE
For District No. 4, 1st precinct, at CHESTERTOWN
For District No. 4, 2d precinct.....at POMONA
For District No. 5.....at EDESVILLE

and which said election is for the purpose of submitting to the qualified voters of Kent county whether or not any person or persons, house, company, association or body corporate, as in said act described, may be licensed in Kent county, of this State, by whom, or in which spirituous or fermented liquors or intoxicating drinks may be sold, or whether or not no license to sell the same in the said county shall be issued, and be submitted to the qualified voters of said county on Saturday, the Tenth day of May, eighteen hundred and ninety, and the sheriff of said county, shall, at least three weeks previous to said election, cause public notice to be given of the submission of said question by advertisement, set up at the most public places within each election district of said county, and also by advertisement in two newspapers of greatest circulation therein, which said advertisement shall contain a copy of this act, and of the time and place of holding the said election, and the cost of such advertisement and handbills shall be paid by the county commissioners of said county, but if for any cause said notice shall not be given, said failure shall not effect the validity of this act, or operate to prevent its taking effect.

SEC. 3. And be it enacted, That ballots cast at said election on the question of license or no license to be counted as deciding for or against the sale of spirituous or fermented liquors or intoxicating drinks in said county, shall have printed or written on them the words, For License, or Against License, and the votes cast for license and the votes cast against license shall be carefully counted by the judges of said election in the respective election districts of said county and the number of votes for license and the number of votes against license shall be certified by them, and the return judges of said election shall meet at the court-house on the Tuesday next after said election and cast up the whole vote for license and against license in said district, and shall make a separate written return of said whole vote to the clerk of the circuit court for Kent county, and said clerk shall record among the records of his office, and shall prepare a certificate proclaiming the result of such election in said county, and cause said certificate to be published within ten days after said returns have been received by him in all the newspapers published in said county.

SEC. 4. And be it enacted, That if it shall appear by the returns of said judges and certificate of said clerk that a majority of said votes have been cast against license for the sale of spirituous or fermented liquors in Kent county, then, and in that event article fifteen of the Code of Public Local Laws, title "Kent county," subtitle "Liquors and Intoxicating Drinks," and the same is hereby repealed and the following sections enacted in lieu thereof, to be called one hundred and forty-eight, one hundred and forty nine, one hundred and fifty, one hundred and fifty-one, one hundred and fifty-one A, one hundred and fifty-one B, one hundred and fifty-one C, one hundred and fifty-one D, one hundred and fifty-one E, one hundred and fifty-one F, one hundred and fifty-one G, one hundred and fifty-one H, one hundred and fifty-one I, one hundred and fifty-one K, one hundred and fifty-one L, one hundred and fifty-one M, one hundred and fifty-one N, one hundred and fifty-one O.

SEC. 148. No person in Kent county shall obtain a license for the sale or barter of spirituous or fermented liquors or intoxicating drinks of any kind, or in any quantity whatever, except such as shall be qualified as hereinafter provided.

149. Any person in Kent county who will keep a house for the reception of guests, or of permanent or transient boarders, containing at least five chambers more than are needed for his family purposes, and which said five or more chambers are used for the reception of guests or permanent or transient boarders, containing therein for use at all times at least six good beds with sufficient covering therefor, and having upon his premises a stable or stabling sufficient for the accommodation of six or more horses shall be deemed and considered to be a hotel keeper within the meaning of this act.

150. Any person in Kent county, whether a hotel keeper or not, desiring to take out a license under this act, may file a petition with the Clerk of the Circuit Court for Kent county setting forth that the applicant wishes to sell spirituous or fermented liquors, and shall describe therein the premises to be occupied by said applicant; and provided the said applicant shall file with petition a written certificate signed by eight freeholders, resident citizens within the limits of the town or of the election district wherein the said applicant desires to sell, setting forth their belief that the applicant for such license will keep an orderly house and duly observe all the provisions of this act; and each person signing said certificate shall make affidavit before said Clerk, or before a Justice of the Peace of said county, that he is the owner of real estate in the election district wherein he resides of the assessed value of at least five hundred dollars, and that he has not during the current year signed a certificate for any other person applying for license to sell spirituous or fermented liquors within said district; and said applicant, if for a hotel license, shall satisfy the said Clerk, by his own oath, and by the oath of two respectable and disinterested witnesses, of their belief therein, that he has bona fide and without intending to evade the spirit and meaning of this act, duly provided, and will maintain and keep for use at least five chambers more than are needed for private or family purposes of said hotel keeper, to be used for the reception of guests or permanent or transient boarders, and at least six beds with sufficient covering therefor, with stabling for at least six horses, all of said chambers and beds to be and remain on the said premises on which spirituous or fermented liquors is by this act licensed to be sold, and each and every applicant, whether a hotel keeper or not, shall file in the office of said Clerk a bond, duly executed to the State of Maryland, with at least two sureties to be approved by said Clerk, in the penal sum of one thousand dollars, conditioned for the faithful observance of the provisions of this act; and the payment of any and all fines, penalties and damages which may be imposed or recovered under this act, provided that each surety on said bond shall make affidavit before said Clerk, or before a Justice of the Peace of said county, that said surety is the owner in fee simple of unincumbered real estate in Kent county of the assessed value of at least one thousand dollars, and that said surety has not within the current year executed a bond for any other applicant to sell spirituous or fermented liquors in Kent county. The Clerk of the Circuit Court may, in his discretion, require such further and other proof by the written affidavit of other parties as to the sufficiency of said bond, as he may deem proper; and if said Clerk shall wilfully or negligently grant a license to any person who shall not have complied with the provisions of this act, said Clerk shall, upon indictment and conviction therefor, be fined not less than fifty nor more than three hundred dollars for each offense.

151. No license to sell spirituous or fermented liquors in Kent county shall be granted to any hotel keeper who shall have complied with the provisions of this act until such applicant, in addition to the sum or sums now required, or which hereafter may be required to be paid by the general license law of the State, shall also pay to said clerk the sum of three hundred dollars, to be paid to the county commissioners of Kent county by said clerk for the use of said county.

151 A. No license to sell spirituous or fermented liquors in Kent county shall be granted to any applicant other than a hotel keeper within the meaning of this act, who shall have complied with the provisions of this act, unless said applicant in addition to the sum or sums of money now required or that may hereafter be required to paid by the general license law of the State, shall also pay for a keeper of a resturant the sum of two hundred and fifty dollars, and for the keeper of a grocery to sell in unbroken packages or in quantities not less than one pint, and not to be drunk on the premises, the sum of two hundred and fifty dollars to be paid to said clerk, and by him paid to the county commissioners of Kent county for the use of said county.

151 B. All sums received by said clerk for license issued under this act shall be accounted for and paid over by said clerk to the County Commissioners of Kent county on the first day of March, June, September and December of each year, and the official bond of said Clerk shall be liable for all of said sums received for licenses issued under this Act; and said Clerk shall, in additionto fees now allowed by law, be entitled to receive the sum of one dollars for approving and filing the bond and other paper of applicants, and five per cent. commission on all sums paid by him to said County Commissioners under this Act, said fees and commissions to be paid by applicant for license without deduction from the sum to be paid to the county.

151 C. All licenses issued under this Act shall expire on the 1st day of May next thereafter, but licenses may be issued for a shorter period than one year upon the payment of a proportionate part of the license fee hereinafore provided for; licenses issued under this Act shall be transferable as Traders' License now are under the general law of this State; provided that when any license under this act shall be granted or assigned to any minor or female, and provided that when any license granted under this act is assigned, the bonds of the assignor shall be liable for the act of the assignee as fully and to the same extent as said bond is liable for the acts of said assignor.

151 D. Any person who shall sell, directly or indirectly, at any place in Kent county any spirituous or fermented liquor or intoxicating drinks of any kind without first having obtained a license as required by this act, shall, upon indictment and conviction thereof, be fined not less than two hundred dollars nor more than five hundred dollars, and failing to pay such fine and cost of prosecution forthwith shall be sentenced to be confined in the Maryland House of Correction for a term of not less than six months nor more than one year.

151 E. No person obtaining a license under this act shall permit minors to enter the bar room or other place where liquor is sold, unless said minor is accompanied by the parent or guardian of such minor, nor shall any person obtaining a license under this act, his agents, servants or employees, sell, directly or indirectly, or give away at his, their or its place of business any spirituous or fermented liquors, alcoholic bitters, or intoxicating drinks of any kind whatsoever, to any minor, or to any person known to such vendor to be purchasing or receiving such liquors or intoxicating drinks as the agent of or on behalf of, or at the request of, any minor.

151 F. Any person who shall violate the provisions of the preceding section shall, upon indictment and conviction thereof, be fined not less than fifty dollars, nor more than five hundred dollars, or be imprisoned in the county jail for not less than thirty days nor more than six months, and the license of such person may be suppressed, in the discretion of the court.

151 G. No vendor of spirituous or fermented liquors licensed under this act shall sell, directly or indirectly, any spirituous or fermented liquor to any person who is intoxicated at the time, nor shall it be lawful for any such licensed vendor to keep open the room where spirituous or fermented liquors are sold between the hours of twelve o'clock at night and six o'clock in the morning, nor to sell, directly or indirectly, or give away in such room, or on or about the premises of such vendor, any spirituous or fermented liquor whatsoever between the hours aforesaid.

151 H. Any person violating the provisions of the preceding section shall, upon indictment and conviction thereof, be fined not less than twenty-five nor more than three hundred dollars, or be imprisoned in the county jail not less than thirty nor more than thirty days, at the discretion of the court.

151 I. Whenever any license shall be suppressed for any violation of this act it shall not be lawful for the Clerk of the Circuit Court for Kent county at any time to grant another license under this act to the person whose license has been suppressed, nor to grant a license to any other person to sell spirituous or fermented liquors upon the premises covered by the license suppressed, for the term of twelve months from the date of such suppression.

151 K. Any person who shall fraudulently procure a license as a hotel keeper without having complied in good faith with the provisions of this act defining hotel keepers, shall, upon indictment and conviction thereof, be fined not less than two hundred dollars; the license granted shall be suppressed by the court, and it shall be unlawful for the Clerk to issue any other license for the sale of spirituous or fermented liquors to such person.

151 L. Nothing in this act shall be construed to authorize any sale or barter or giving away of any spirituous or fermented liquor on the Sabbath day, commonly called Sunday, or on the day of election held in said county, under the constitution and laws of this State or of the United States.

151 M. On any prosecution under this act it shall only be necessary to state that the traverser did sell or give away spirituous or fermented liquors, without specifying the particular kind or quantity of liquor sold or given away.

151 N. All fines imposed and collected under this act shall be paid to the County Commissioners of Kent county for the use of said county.

151 O. All prosecutions for violations of any of the provisions of this act shall be upon presentment and indictment, and it shall be the duty of any Justice of the Peace for Kent county, upon information received and confirmed by the oath of a credible witness, to have any person arrested and committed to the county jail for a violation of the provisions of this act, unless such person shall give sufficient bail or recognizance with sureties to appear before the Circuit Court for Kent county at the next succeeding term thereof, to answer the charge.

SEC. 6. And be it enacted, That this act shall take effect from the date of its passage.

Approved April 8th, 1890.

ELIHU E. JACKSON, Governor.

JOHN HUBNER, Speaker House Delegates.
R. F. BRATTAN, President of the Senate.

I HEREBY CERTIFY that the foregoing is a correct copy of an act of the General Assembly of Maryland passed at the January session, 1890.

CARLTON SHAFER,
Chief Clerk House of Delegates
SAMUEL COMEGYS,
Sheriff of Kent county

apr12-3t. April 19, 1890—te.

THE HIGH LICENSE LAW.

CHAPTER 517.

AN ACT to enable the qualified voters of Kent county to determine by ballot, whether spirituous or fermented liquors shall not be sold in said county, or shall be sold only as hereinafter provided, and to repeal all acts inconsistent herewith.

SECTION 1. Be it enacted by the General Assembly of Maryland, That Article Fifteen of the Code of the Public Local Laws, "title "Kent County," subtitle "Liquors and Intoxicating Drinks," shall not remain in force on and after the first day of June, Eighteen Hundred and Ninety, and that all acts, or part of acts, inconsistent with the provisions of this act, shall be repealed, after said last mentioned date, provided however that this act shall not be construed to repeal said Article Fifteen of the Code of Public Local Laws, title "Kent County," subtitle "Liquors and Intoxicating Drinks," prior to the First day of June, Eighteen Hundred and Ninety, or to effect any offence already committed, or which may be committed before this act shall take effect, but all such offences may be prosecuted and punished under the law existing at the time of the commission of said respective offences, and provided further, that if for any reason this act shall not take effect on the First day of June, Eighteen Hundred and Ninety, the said article fifteen of the Code of Public Local Laws, title "Kent County," subtitle "Liquors and Intoxicating Drinks," shall continue to remain in force until other laws shall be enacted in lieu thereof.

SEC. 2. And be it enacted, That the question whether or not any person, or persons, house, company, association or body corporate, as hereinafter described, may be licensed in Kent county, of this State, by whom, or in which spirituous or fermented liquor or intoxicating drinks may be sold, or whether or not no license to sell the same in the said county shall be issued, shall be submitted to the qualified voters of said county on Saturday, the Tenth day of May, eighteen hundred and ninety, and the sheriff of said county, shall, at least three weeks previous to said election, cause public notice to be given of the submission of said question by advertisement, set up at the most public places within each election district of said county, and also by advertisement in two newspapers of greatest circulation therein, which said advertisement shall contain a copy of this act, and of the time and place of holding the said election, and the cost of such advertisement and handbills shall be paid by the county commissioners of said county, but if for any cause said notice shall not be given, said failure shall not effect the validity of this act, or operate to prevent its taking effect.

SEC. 3. And be it enacted, That ballots cast at said election on the question of license or no license to be counted as deciding for or against the sale of spirituous or fermented liquors or intoxicating drinks in said county, shall have printed or written on them the words, For License, or Against License, and the votes cast for license and the votes cast against license shall be carefully counted by the judges of said election in the respective election districts of said county and the number of votes for license and the number of votes against license shall be certified by them, and the return judges of said election shall meet at the court-house on the Tuesday next after said election and cast up the whole vote for license and against license in said district, and shall make a separate written return of said whole vote to the clerk of the circuit court for Kent county, and said clerk shall record among the records of his office, and shall prepare a certificate proclaiming the result of such election in said county, and cause said certificate to be published within ten days after said returns have been received by him in all the newspapers published in said county.

SEC. 4. And be it enacted, That if it shall appear by the returns of said judges and certificate of said clerk that a majority of said votes have been cast against license for the sale of spirituous or fermented liquors in Kent county, then, and in that event article fifteen of the Code of Public Local Laws, title "Kent County," subtitle "Liquors and Intoxicating Drinks," be and the same is hereby repealed and the following sections enacted in lieu thereof, to be called one hundred and forty-eight, one hundred and forty nine, one hundred and fifty, one hundred and fifty-one, one hundred and fifty-one A, one hundred and fifty-one B, one hundred and fifty-one C, one hundred and fifty-one D, one hundred and fifty-one E, one hundred and fifty-one F, one hundred and fifty-one G, one hundred and fifty-one H, one hundred and fifty-one I, one hundred and fifty-one K, one hundred and fifty-one L, one hundred and fifty-one M, one hundred and fifty-one N, one hundred and fifty-one O.

SEC. 148. No person in Kent county shall obtain a license for the sale or barter of spirituous or fermented liquors or intoxicating drinks of any kind, or in any quantity whatever, except such as shall be qualified as hereinafter provided.

149. Any person in Kent county who will keep a house for the reception of guests, or of permanent or transient boarders, containing at least five chambers more than are needed for his family purposes, and which said five or more chambers are used for the reception of guests or permanent or transient boarders, containing therein for use at all times at least six good beds with sufficient covering therefor, and having upon his premises a stable or stabling sufficient for the accommodation of six or more horses shall be deemed and considered to be a hotel keeper within the meaning of this act.

150. Any person in Kent county, whether a hotel keeper or not, desiring to take out a license under this act, may file a petition with the Clerk of the Circuit Court for Kent county setting forth that the applicant wishes to sell spirituous or fermented liquors, and shall describe therein the premises to be occupied by said applicant; and provided the said applicant shall file with petition a written certificate signed by eight freeholders, resident citizens within the limits of the town or of the election district wherein the said applicant desires to sell, setting forth their belief that the applicant for such license will keep an orderly house and duly observe all the provisions of this act; and each person signing said certificate shall make affidavit before said Clerk, or before a Justice of the Peace of said county, that he is the owner of real estate in the election district wherein he resides of the assessed value of at least five hundred dollars, and that he has not during the current year signed a certificate for any other person applying for license to sell spirituous or fermented liquors within said district; and said applicant, if for a hotel license, shall satisfy the said Clerk, by his own oath, and by the oath of two respectable and disinterested witnesses, of their belief therein, that he has bona fide and without intending to evade the spirit and meaning of this act, duly provided, and will maintain and keep for use at least five chambers more than are needed for private or family purposes of said hotel keeper, to be used for the reception of guests or permanent or transient boarders, and at least six beds with sufficient covering therefor, with stabling for at least six horses, all of said chambers and beds to be and remain on the said premises on which spirituous or fermented liquors is by this act licensed to be sold, and each and every applicant, whether a hotel keeper or not, shall file in the office of said Clerk a bond, duly executed to the State of Maryland, with at least two sureties to be approved by said Clerk, in the penal sum of one thousand dollars, conditioned for the faithful observance of the provisions of this act; and the payment of any and all fines, penalties and damages which may be imposed or recovered under this act, provided that each surety on said bond shall make affidavit before said Clerk, or before a Justice of the Peace of said county, that said surety is the owner in fee simple of unincumbered real estate in Kent county of the assessed value of at least one thousand dollars, and that said surety has not within the current year executed a bond for any other applicant to sell spirituous or fermented liquors in Kent county. The Clerk of the Circuit Court may, in his discretion, require such further and other proof by the written affidavit of other parties as to the sufficiency of said bond, as he may deem proper; and if said Clerk shall wilfully or negligently grant a license to any person who shall not have complied with the provisions of this act, said Clerk shall, upon indictment and conviction therefor, be fined not less than fifty nor more than three hundred dollars for each offense.

151. No license to sell spirituous or fermented liquors in Kent county shall be granted to any hotel keeper who shall have complied with the provisions of this act until such applicant, in addition to the sum or sums now required, or which hereafter may be required to be paid by the general license law of the State, shall also pay to said clerk the sum of three hundred dollars, to be paid to the county commissioners of Kent county by said clerk for the use of said county.

151 A. No license to sell spirituous or fermented liquors in Kent county shall be granted to any applicant other than a hotel keeper within the meaning of this act, who shall have complied with the provisions of this act, unless said applicant in addition to the sum or sums of money now required or that may hereafter be required to paid by the general license law of the State, shall also pay for a keeper of a resturant the sum of two hundred and fifty dollars, and for the keeper of a grocery to sell in unbroken packages or in quantities not less than one pint, and not to be drunk on the premises, the sum of two hundred and fifty dollars to be paid to said clerk, and by him paid to the county commissioners of Kent county for the use of said county.

151 B. All sums received by said clerk for license issued under this act shall be accounted for and paid over by said clerk to the County Commissioners of Kent county on the first day of March, June, September and December of each year, and the official bond of said Clerk shall be liable for all of said sums received for licenses issued under this Act; and said Clerk shall, in additionto fees now allowed by law, be entitled to receive the sum of one dollars for approving and filing the bond and other paper of applicants, and five per cent. commission on all sums paid by him to said County Commissioners under this Act, said fees and commissions to be paid by applicant for license without deduction from the sum to be paid to the county.

151 C. All licenses issued under this Act shall expire on the 1st day of May next thereafter, but licenses may be issued for a shorter period than one year upon the payment of a proportionate part of the license fee hereinafore provided for; licenses issued under this Act shall be transferable as Traders' License now are under the general law of this State; provided that when any license under this act shall be granted or assigned to any minor or female, and provided that when any license granted under this act is assigned, the bonds of the assignor shall be liable for the act of the assignee as fully and to the same extent as said bond is liable for the acts of said assignor.

151 D. Any person who shall sell, directly or indirectly, at any place in Kent county any spirituous or fermented liquor or intoxicating drinks of any kind without first having obtained a license as required by this act, shall, upon indictment and conviction thereof, be fined not less than two hundred dollars nor more than five hundred dollars, and failing to pay such fine and cost of prosecution forthwith shall be sentenced to be confined in the Maryland House of Correction for a term of not less than six months nor more than one year.

151 E. No person obtaining a license under this act shall permit minors to enter the bar room or other place where liquor is sold, unless said minor is accompanied by the parent or guardian of such minor, nor shall any person obtaining a license under this act, his agents, servants or employees, sell, directly or indirectly, or give away at his, their or its place of business any spirituous or fermented liquors, alcoholic bitters, or intoxicating drinks of any kind whatsoever, to any minor, or to any person known to such vendor to be purchasing or receiving such liquors or intoxicating drinks as the agent of or on behalf of, or at the request of, any minor.

151 F. Any person who shall violate the provisions of the preceding section shall, upon indictment and conviction thereof, be fined not less than fifty dollars, nor more than five hundred dollars, or be imprisoned in the county jail for not less than thirty days nor more than six months, and the license of such person may be suppressed, in the discretion of the court.

151 G. No vendor of spirituous or fermented liquors licensed under this act shall sell, directly or indirectly, any spirituous or fermented liquor to any person who is intoxicated at the time, nor shall it be lawful for any such licensed vendor to keep open the room where spirituous or fermented liquors are sold between the hours of twelve o'clock at night and six o'clock in the morning, nor to sell, directly or indirectly, or give away in such room, or on or about the premises of such vendor, any spirituous or fermented liquor whatsoever between the hours aforesaid.

151 H. Any person violating the provisions of the preceding section shall, upon indictment and conviction thereof, be fined not less than twenty-five nor more than three hundred dollars, or be imprisoned in the county jail not less than thirty nor more than thirty days, at the discretion of the court.

151 I. Whenever any license shall be suppressed for any violation of this act it shall not be lawful for the Clerk of the Circuit Court for Kent county at any time to grant another license under this act to the person whose license has been suppressed, nor to grant a license to any other person to sell spirituous or fermented liquors upon the premises covered by the license suppressed, for the term of twelve months from the date of such suppression.

151 K. Any person who shall fraudulently procure a license as a hotel keeper without having complied in good faith with the provisions of this act defining hotel keepers, shall, upon indictment and conviction thereof, be fined not less than two hundred dollars; the license granted shall be suppressed by the court, and it shall be unlawful for the Clerk to issue any other license for the sale of spirituous or fermented liquors to such person.

151 L. Nothing in this act shall be construed to authorize any sale or barter or giving away of any spirituous or fermented liquor on the Sabbath day, commonly called Sunday, or on the day of election held in said county, under the constitution and laws of this State or of the United States.

151 M. On any prosecution under this act it shall only be necessary to state that the traverser did sell or give away spirituous or fermented liquors, without specifying the particular kind or quantity of liquor sold or given away.

151 N. All fines imposed and collected under this act shall be paid to the County Commissioners of Kent county for the use of said county.

151 O. All prosecutions for violations of any of the provisions of this act shall be upon presentment and indictment, and it shall be the duty of any Justice of the Peace for Kent county, upon information received and confirmed by the oath of a credible witness, to have any person arrested and committed to the county jail for a violation of the provisions of this act, unless such person shall give sufficient bail or recognizance with sureties to appear before the Circuit Court for Kent county at the next succeeding term thereof, to answer the charge.

SEC. 6. And be it enacted, That this act shall take effect from the date of its passage.

Approved April 8th, 1890.

ELIHU E. JACKSON, Governor.

JOHN HUBNER, Speaker House Delegates.
R. F. BRATTAN, President of the Senate.

I HEREBY CERTIFY that the foregoing is a correct copy of an act of the General Assembly of Maryland passed at the January session, 1890.

CARLTON SHAFER,
Chief Clerk House of Delegates
SAMUEL COMEGYS,
Sheriff of Kent county

April 19, 1890—te.

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