CHAPTER 486.

AN ACT to repeal and re-enact with amendments Section two of Chapter 332 of the acts of the General Assembly of eighteen hundred and ninety, entitled "An Act to regulate the Measurement of Peas, Beans and other farm products."

SECTION 1. Be it enacted by the General Assembly of Maryland, That Section two of Chapter 332 of the acts of the General Assembly of eighteen hundred and ninety, entitled "An Act to regulate the Measurement of Peas, Beans and other farm products" be, and the same is hereby repealed and re-enacted with amendments so as to read as follows:

2. That the dimensions of any barrel so used, shall be stamped by the inspector of weights and dry measures of the city of Baltimore upon the same, in three conspicuous places, and any person using a barrel for the measurement of peas, beans and like farm products, without being so stamped, shall be fined not less than one hundred dollars or more than five hundred dollars, said fine to be collected as other fines are now collected, and it shall be the duty of said inspector of weights and dry measures of the city of Baltimore, from time to time to inspect the barrels used for the measurement of said peas, beans and other farm products, and to see that the provisions of this act are complied with, and upon the conviction of any person or corporation under the provisions of this act, one-half of the fine imposed shall be paid to said inspector of weights and dry measures of the city of Baltimore.

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

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed January Session, 1892.

CARLTON SHAFER,
Chief Clerk of the House of Delegates.
W. G. PURNELL,
Secretary of the Senate.
Approved by the Governor,
April 7, 1892.

CHAPTER 627.

AN ACT to repeal Sections 34 A and 34 B, of Article fifty-six of the Code of Public General Laws of the State of Maryland, title "Licenses," as enacted at the January session of 1890, Chapter 159, and to re-enact the same with amendments.

SECTION 1. Be it enacted by the General Assembly of Maryland, That Sections 34 A and 34 B, of Article 56 of the Code of Public General Laws of the State of Maryland, title "Licenses," as enacted at the January session of 1890, Chapter 159, be, and the same are hereby repealed and re-enacted so as to read as follows:

34 A. Every person who proposes to conduct the business of Shipping Master or Shipping Broker in Baltimore City to ship men as dredgers or employees on vessels engaged in dredging or catching oysters, shall on or before September first in each year take out or procure a license for such business, and shall pay therefor the sum of fifty dollars, and in case any agent, solicitor or runner shall be used or employed, then an additional license of fifty dollars shall be taken out and paid for each agent, solicitor or runner so used and employed.

34 B. Any person conducting the business specified in the preceding section, or acting as agent, solicitor or runner, without having first procured the license as therein required shall on conviction thereof be subject to a fine of not less than one hundred dollars nor more than five hundred dollars, or shall be imprisoned in jail for not less than six weeks nor more than one year, or both fine and imprisonment in the discretion of the Court.

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

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed January Session, 1892.

CARLTON SHAFER,
Chief Clerk of the House of Delegates.
W. G. PURNELL,
Secretary of the Senate.
Approved by the Governor,
April 7, 1892.

CHAPTER 419.

AN ACT to prevent deception and fraud by owners or agents who may have control of any stallion kept for service, by proclaiming or publishing fraudulent or false pedigrees or records, and to protect such owners or agents in the collection of fees for services of such stallions, and to prevent the entering of trotting horses out of their classes.

SECTION 1. Be it enacted by the General Assembly of Maryland, That every owner or agent who may have the custody or control of any stallion, who shall charge a fee for the service of such stallion, shall before advertising or offering such service to the public for any fee, reward or compensation, file with the clerk of the Circuit Court in the county in which such owner or owners, agent or agents reside or in which such stallion shall be kept for service, or if such service shall be offered in the city of Baltimore, then with the clerk of the Court of Common Pleas, a written statement giving the name, age, pedigree and record, if known, and if not known then that the same is unknown, the description, terms and conditions upon which such stallion will serve. Upon filing such statement, the clerk of the Circuit Court for the county, or of the Court of Common Pleas of Baltimore, as the case may be, shall issue a certificate or license to the owner or owners, agent or agents having the custody or control of such stallion, that such a statement has been filed in his office; the owner or owners, or agent or agents of the owners of such stallion shall, then, post a written or printed copy of the statement so filed with such clerk in a conspicuous place in each locality in which said stallion shall be kept for service.

SEC. 2. Every owner or agent who shall proclaim or publish a false or fraudulent pedigree or record or statement of any kind regarding any stallion, or who shall neglect or refuse to comply with the provisions of Section one of this Act shall forfeit all fees for the services of such stallion, and the person or persons who may be deceived or defrauded by such false or fraudulent pedigree or record or statement may sue and recover in any court of competent jurisdiction such damages as may be shown to have been sustained by reason of such false and fraudulent representation.

SEC. 3. Whenever the owner or agent of an owner or owners of any stallion shall have complied with the foregoing provisions of this act, the services of such stallion shall become a lien on each mare served, together with the foal of such mare resulting from such service for an amount agreed upon between the parties at the time of service, or in the event of no such agreement having been entered into between them, then in such an amount as specified for service fee of such stallion or stallion in the statement hereinbefore required to be filed with the clerks of said respective courts, provided, that a notice of such lien shall be filed within six months after such service, which lien shall terminate at the end of one year from the date of filing notice thereof, unless within that time an action shall be commenced for the enforcement thereof.

SEC. 4. It is hereby made unlawful for any person or persons, knowingly, to enter or cause to be entered for competition, or to compete for any purse, prize, premium, stake or sweepstake offered or given by any agricultural or other society, association or person or persons in the State of Maryland, any horse, mare or gelding, colt or filly under an assumed name or out of its proper class when such prize, purse, premium, stake or sweepstake is to be decided by a contest in trotting races.

SEC. 5. And be it enacted, That any person or persons found guilty of a violation of Section four of this Act shall, upon conviction thereof, be imprisoned in the penitentiary for not less than one year nor more than three years, or imprisoned in the jail of the county or the city of Baltimore, as the case may be in which the offence was committed for any definite period not less than six months, and shall be fined in any sum not exceeding one thousand dollars.

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

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed January Session, 1892.

CARLTON SHAFER,
Chief Clerk of the House of Delegates.
W. G. PURNELL,
Secretary of the Senate.
Approved by the Governor,
April 7, 1892.

CHAPTER 222.

AN ACT to repeal and re-enact with amendments Section twelve of Article thirty-six of the Code of Public General Laws, title "Fees of Officers" sub-title "Clerks of Courts."

SECTION 1. Be it enacted by the General Assembly of Maryland, That section twelve of Article thirty-six of the Code of Public General Laws, title "Fees of Officers" sub-title "Clerks of Courts" be and the same is hereby repealed and the following enacted in lieu thereof.

SEC. 12. The clerk of the Court of Appeals, the clerks of the Circuit Courts and the clerks of the Courts of the City of Baltimore, may charge the fees herein allowed for the performance of their respective duties, to wit: For filing any paper, or thing required to be filed and entering the same on the docket or minutes of the court to be charged but once ..... $ 05
For docket entry of any judgment or decree 25
For entering the naturalization of any alien with certificate under seal, including all oaths taken thereon 50
For entering the declaration of intention of an alien to become a citizen with certificate under seal and all oaths taken thereon 50
For granting any license of any kind 50
For taxing the costs in any suit or proceeding, to be charged but once 15
For a transcript thereof with the items thereof, at large when demanded, to be charged to any person requiring the same 10
For every search for matter above a year's standing, however remote the period may be if found 15
For affixing the seal to every paper or thing when required, except writs and process 10
For issuing writs or process of any kind under seal, for every ten words and so pro rata 14
For issuing summons for witnesses, including the names of all witness applied for at the time 15
For issuing summons for witnesses *duces tecum* 20
For short copy of judgment not under seal 15
For transcribing the docket entries in each suit and of each execution as required by law, for each transcript 25
For certificate of the attendance of a witness or juror 05
For certificate under seal of the qualification of any judge, or one or more justices of the peace to any instrument of writing, including all searches made for the purpose of said certificate 25
For certificate under seal of an admission of an attorney 1 00
For recording anything required by law to be recorded and for copies of any papers, for each ten words or figures and pro rata 01
For arraigning a criminal 50
For drawing, empanneling and swearing a petit jury, and entering the same on the docket 75
For drawing, empanneling and swearing a grand jury, and entering the same on the minutes of the court 1 25
For each oath taken in the court, and entering the same 05
For each entry necessary to be made on the docket or minutes of the court, except those above mentioned 05
For making alphabets and lists of transfers of property, for each ten words and so pro rata, except alphabets to docket 14
For extracting all deeds for each ten words or figures and pro rata 14
For copying surveyor's plots or recording the same, the same per diem allowed to surveyor's for making them.
All original papers to which a party is entitled, to be delivered without charge for a search.
No search to be charged for looking for any judgment, or other record or thing of which a copy is required, or which may be necessary to be recited in any suit or progress.
No charge to be made for any docket entry not actually made.
For receiving and paying over all public money received, for licenses, fines or otherwise, five per centum, except the clerk of the court of Common Pleas, who shall receive one per centum commission for receiving and paying over such public money.
For entering satisfaction of judgment on justices docket 15
For granting hawkers and pedlers license, to be paid by the hawker or pedler 1 00

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

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed January Session, 1892.

CARLTON SHAFER,
Chief Clerk of the House of Delegates.
W. G. PURNELL,
Secretary of the Senate.
Approved by the Governor,
March 28th, 1892.

CHAPTER 357.

AN ACT to protect associations and unions of workingmen and persons in their labels, trade-marks and forms of advertising, and to punish offenders for a violation of the same.

SECTION 1. Be it enacted by the General Assembly of Maryland, That whenever any person, association or union of workingmen have adopted, or shall hereafter adopt for their protection any label, trade-mark or form of advertisement announcing and denoting that goods to which such label, trade-mark or form of advertisement shall or may be attached, were manufactured by such person or by a member or members of such association or union, it shall not be lawful for any person or corporation to counterfeit or imitate such label, trade-mark or form of advertisement. Every person violating this Section shall be deemed guilty of a misdemeanor and shall upon conviction by any court having criminal jurisdiction be punished by imprisonment in the city or county jail for not less than three months nor more than one year or by a fine of not less than one hundred dollars nor more than five hundred dollars, or both in the discretion of the court.

SEC. 2. And be it enacted, That every person, corporation or association who shall use any counterfeit or imitation of any label, trade-mark or form of advertisement of any such person, union or association, knowing the same to be counterfeit or imitation, he shall be guilty of a misdemeanor and shall on conviction by any court having criminal jurisdiction be punished by imprisonment in the city or county jail for a term not less than one month nor more than one year or by a fine of not less than one hundred dollars nor more than two hundred dollars, or both in the discretion of the court, and the burden of proving that the defendant did not know the true character of the said label, trade-mark or form of advertisement and that he used the same in good faith shall be on the defendant.

SEC. 3. And be it enacted, That every such person, association or union that has heretofore adopted, or shall hereafter adopt, a label, trade-mark or form of advertisement as aforesaid, may file the same for record, in the office of the Secretary of State, by leaving two copies counterparts or fac-similes thereof, with the Secretary of State, and said secretary shall deliver to such person, association or union so filing the same duly attested certificate of the record of the same, for which he shall receive a fee of one dollar. Such certificate of record shall be in all suits and prosecutions under this Act sufficient proof of the adoption of such label, trade-mark or form of advertisement, and of the right of said person, association or union to adopt the same. No label shall be recorded that probably would be mistaken for a label already of record, of which question the said secretary shall be the judge.

SEC. 4. And be it enacted, That every such person, association or union adopting a label, trade-mark or form of advertisement as aforesaid may proceed by suit to enjoin the manufacture, use, display or sale of any such counterfeit, or imitations, and all courts having jurisdiction thereof shall grant injunctions to restrain such manufacture, use, display or sale, and shall award the complainant in such suit such damage resulting from such wrongful manufacture, use, display or sale, as may by said court be deemed just and reasonable, according to the evidence in the case, and shall require the defendants to pay such persons, associations or unions, the profits derived from such wrongful manufacture, use, display or sale, and in addition to court costs, such reasonable attorneys fees as the court may allow, and said court shall also order that all such counterfeits or imitations in the possession or under the control of any defendant in such case be delivered to an officer of the court, or to the complainant to be destroyed.

SEC. 5. And be it enacted, That every person who shall use or display the genuine label, trade-mark or form of advertisement of any such person, association or union, in any manner not authorized by such person, union or association, shall be deemed guilty of a misdemeanor and shall on conviction be punished by imprisonment in the city or county jail not less than one month nor more than one year, or by a fine of not less than fifty dollars or more than two hundred dollars, or both in the discretion of the Court.

SEC. 6. And be it enacted, That any person or persons who shall in any way use the name or seal of any such person, association or union, or officer thereof, in and about the sale of goods or otherwise, not being authorized to do so by the same, shall be guilty of a misdemeanor, punishable on conviction by imprisonment in the city or county jail for a term of not less than three months or more than one year, or by a fine of not less than fifty dollars nor more than three hundred dollars, or both, in the discretion of the court.

SEC. 7. And be it enacted, That all the Acts and parts of Acts inconsistent with this Act are hereby repealed.

SEC. 8. And be it enacted, That this Act shall take effect from the date of its passage.

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed January Session, 1892.

CARLTON SHAFER,
Chief Clerk of the House of Delegates.
W. G. PURNELL,
Secretary of the Senate.
Approved by the Governor,
April 4, 1892.

CHAPTER 596.

AN ACT to prevent and punish fraud in sales of goods, wares and merchandise at public or private sale by Itinerant Vendors, and to regulate such sales.

SECTION 1. Be it enacted by the General Assembly of Maryland, That the words "Itinerant Vendors," for the purpose of this Act, shall be construed to mean and include all persons, both principals and agents, who engage in a temporary or transient business in this State, either in one or more places in one locality, or in travelling from place to place selling goods, wares and merchandise, and who, for the purpose of carrying on such business hire, lease or occupy any building or structure for the exhibition and sale of such goods, wares and merchandise.

SEC. 2. Be it enacted, That the provisions of this Act shall not apply to sales made to dealers by commercial travellers or selling agents in the usual course of business, nor to bona fide sales of goods, wares and merchandise by sample for future delivery, or to hawkers on the streets or pedlers from vehicles.

SEC. 3. Be it enacted, That every Itinerant Vendor who shall sell or expose for sale, at public or private sale, any goods, wares or merchandise without State and local licenses therefor, issued as hereinafter provided, shall be guilty of a misdemeanor and shall be punished by fine not exceeding one hundred dollars, or by imprisonment not exceeding sixty days, or by both such fine and imprisonment.

SEC. 4. Be it enacted, That all persons, both principals and agents, who shall, by circular, handbill, newspaper, or in any other manner, advertise any such sales as those referred to in the Section last preceding, before proper licenses shall be issued to the Vendor, shall be guilty of a misdemeanor, and shall be punished by fine not exceeding one hundred dollars, or imprisonment not exceeding sixty days, or by both such fine and imprisonment.

SEC. 5. Be it enacted, That it shall be the duty of every Itinerant Vendor, whether principal or agents, before commencing business, to take out a State license and local licenses in the manner hereinafter set forth, but nothing herein contained shall effect the rights of any municipal corporation or Board of County Commissioners to pass such ordinances or orders relative to Itinerant Vendors as may be permissible under the general law or under their respective charters or powers.

SEC. 6. Be it enacted, That every Itinerant Vendor desiring to do business in this State shall deposit with the clerk of the Court of Common Pleas in the city of Baltimore, or the clerks of the Circuit Courts in the counties, the sum of five hundred dollars as a special deposit, upon application in proper form, and the payment of a further sum of one hundred dollars as a State license fee, the said clerk shall issue to him an Itinerant Vendor's license, authorizing him to do business in this State in conformity with the provisions of this Act for the term of one year from the date thereof, or a proportional part of said sum for any fractional part of a year not less than one month, and all licenses so issued shall be made to expire on the first day of May next succeeding the date of their issues. Every license shall set forth a copy of the application upon which it is granted. Such license shall not be transferable, nor give authority to more than one person to sell goods as an Itinerant Vendor, either by agent or clerk, or in any other way than in his own proper person, but any licensee may have the assistance of one or more persons in conducting his business, who shall have authority to aid that principal but not to act for or without him.

SEC. 7. Be it enacted, That all applications for licenses shall be sworn to, shall disclose the names and residences of the owners or parties in whose interest said business is conducted, and shall be kept on file by the clerk of the court; and a record shall be kept by him of all licenses issued upon such applications. All files and records, both of the clerk of the court and of the respective clerks to the county commissioners, or the clerk or officer designated to collect license fees by any incorporated town or city in this State, shall be in convenient form and open for public inspection.

SEC. 8. Be it enacted, That before selling under said State license every Itinerant Vendor shall exhibit the same to the clerk to the county commissioners, or to the clerk or officer designated to collect license fees by any incorporated town or city in this State where he proposes to make sales. And upon payment to said clerk or officer of a further local license fee, to be ascertained in the manner provided in the following section, and the proof of payment of all such other license fees, if any, as are legally chargeable upon local sales, the clerk or officer shall endorse upon it the words "local license fees paid," and shall affix his official signature, together with the date of such endorsements. Any failure to obtain a local license, if any, and for proper endorsements made on the said license, shall be subjected to the same penalty as though no State license had been issued.

SEC. 9. Be it enacted, That any Itinerant Vendor before making any sales of such goods, wares and merchandise, shall furnish to the clerk or officers designated in Section 8, of this Act, where any goods, wares and merchandise are kept or to be kept or exposed for sale or sold by him or them, a true statement of the average quantity and value of the stock of goods, wares and merchandise so kept and exposed for sale. The person furnishing such statement shall make oath that the same is true, and said oath may be administered by said clerk or any officer qualified to administer oaths. Such clerk or officer shall thereupon ascertain the amount to be paid for the local license, by a computation based upon the average valuation of such stock of goods, wares and merchandise so kept or exposed for sale, in the ratio and of the rate per thousand dollars of valuation of the last preceding tax levy made in such city or county, and upon receipt of the amount so fixed and ascertained shall issue to the person filing or furnishing such statement a local license authorizing the sale of such goods, wares and merchandise within the limits of such county or city, which license shall be and continue in force so long as the licensee thereunder shall continuously keep and expose for sale in such city or county such stock of goods, wares and merchandise, except that such license shall in any event terminate and expire on the first day of May next following its date. If the statement required by this Section is not filed as aforesaid, the clerk or officer designated in Section 8 of this Act, of the city or county in which such goods are so kept or exposed for sale, or where such Itinerant Vendor desires to sell such goods, wares and merchandise, shall thereupon fix the sum to be paid for such license, which sum shall be binding upon the parties.

SEC. 10. Be it enacted, That whoever neglects or refuses to file the statement required by Section 9 of this Act, or whoever makes a false and fraudulent representation therein, shall be punished by a fine of not less than twenty dollars, nor more than one hundred dollars, for each and every day that such goods, wares and merchandise are kept or exposed for sale.

SEC. 11. Be it enacted that whenever a person liable therefor, and after demand made by the officer or clerk whose duty it is to collect said license fees of the city or county in which he is located, refuses or neglects to pay the license fee provided for in this Act, the said clerk or officer may, in his own name but for the use and benefit of such city or county, maintain an action therefor in like manner as for his own debt. Police Magistrates in Baltimore city, and Justices of the Peace in the counties, shall have concurrent jurisdiction with the Circuit Courts in the counties, and the Criminal Court in Baltimore city of such actions and of complaints under Section 4 of this Act.

SEC. 12. Be it enacted, That no Itinerant Vendor shall advertise, represent or hold forth any sale as an insurance, bankrupt, insolvent, assignee, trustee, testator, executor, administrator, receiver, wholesale or manufacturers, or closing out sale, or as a sale of any goods damaged by smoke, fire, water or otherwise, or in any similar form, unless he shall before so doing state under oath, either in the original application for a State license, or in a supplementary application subsequently filed, and copy on the license all the facts relating to the reasons and character of such special sale so advertised or represented, including a statement of the names of the persons from whom the goods, wares and merchandise were obtained, the date of the delivery to the person applying for the license, and the place from which said goods, wares and merchandise were last taken, and all details necessary to exactly locate and fully identify all goods, wares and merchandise to be so sold.

SEC. 13. Be it enacted, That any false statement in an application, either original or supplementary, for a license, and any failure on the part of any licensee to comply with all the requirements of the last preceding Section shall subject said Itinerant Vendor to the same penalty as if he had no license.

SEC. 14. Be it enacted, That all State licenses issued under this Act shall expire on the first day of May next succeeding the date of their issue, and may be, if so desired, surrendered at any time prior thereto for cancellation.

SEC. 15. Be it enacted, That upon the expiration and return or surrender of each State license the respective clerks of the courts aforesaid shall cancel the same, endorse the date of delivery and cancellation thereon, and place the same on file. He shall then hold the special deposit of such licenses hereinbefore mentioned for the period of sixty days, and after satisfying any and all claims made upon the same under the Section next following, shall return said deposit, or such portion of the same, if any, as may remain in his hands, to the licensee depositing it.

SEC. 16. Be it enacted, That each deposit made with the respective clerks of the Courts aforesaid shall be subject, so long as it remains in his hands, to attachment and execution in the behalf of creditors whose claims arise in connection with business done in the State, and the respective clerks of the courts aforesaid may be held to answer as garnishee, in any civil action in contract or tort brought against any licensee, and he shall pay over under order of court, or upon execution, such sum of money as he may be chargeable with upon his answer or otherwise, after deducting reasonable counsel fees and costs. Said deposit shall also be subject to the payment of any and all fines and penalties incurred by the licensee through violations of this Act, and the clerk of the court in which, or the trial Justice by whom, such fine or penalty is imposed shall thereupon notify the respective clerks of the courts aforesaid of the name of the licensee against whom such fine or penalty is adjudged and the amount of such fine or penalty and the clerk of the court, if he has in his hands a sufficient sum deposited by such licensee, shall pay the sum so specified to said clerk or trial justice, and if the clerk shall not have a sufficient sum so deposited he shall make payment as aforesaid of so much as he has in his hands. All claims upon the deposit shall be satisfied after judgment, fine or penalty in the order in which notice of the claim is received by the respective clerks of the courts aforesaid until all such claims are satisfied or the deposit exhausted, but no notices filed after the expiration of the sixty days limit aforesaid shall be valid. No deposits shall be paid over by the respective clerks of the courts aforesaid to licensees so long as there are any outstanding claims or notices of claims against them, respectively, unless he is satisfied that such claims will not be prosecuted to final judgment, or that no fine or penalty will be imposed.

SEC. 17. Be it enacted, That it shall be the duty of the respective sheriffs, constables, police or prosecuting officers in each county and city in this State, to see that the provisions of this Act are complied with and to prosecute for violations of the same. All such officers shall have power to demand the production of the proper State and local licenses from any Itinerant Vendor advertising or actually engaged in business and any failure to produce such licenses shall be prima facie evidence against such Vendor that he has none.

SEC. 18. Be it enacted, That this Act shall take effect from the date of its passage.

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed January Session, 1892.

CARLTON SHAFER,
Chief Clerk of the House of Delegates.
W. G. PURNELL,
Secretary of the Senate.
Approved by the Governor,
April 7th, 1892.

CHAPTER 485.

AN ACT to repeal the Act of General Assembly of Maryland, passed at the January session, Eighteen hundred and ninety, entitled an act to amend Article fifty-two of the Code of Public General Laws, title "Justices of the Peace" except as to the City of Baltimore, by adding a new section thereto to follow section eleven and to be designated as section eleven A, and to be under the new sub-title Criminal Jurisdiction and to re-enact the said act with amendments so as to except Queen Anne's, Harford, Talbot and Frederick Counties.

SECTION 1. Be it enacted by the General Assembly of Maryland, That the act of Eighteen hundred and ninety, chapter six hundred and eighteen, entitled "An act to amend Article fifty-two of the Code of Public General Laws, title "Justices of the Peace," (except as to the City of Baltimore) by adding a new section thereto to follow section eleven and to be designated as section eleven A, and to be under the new sub-title of "Criminal Jurisdiction" be and the same is hereby repealed and re-enacted to read as follows:

SECTION 2. Be it enacted by the General Assembly of Maryland, That Article fifty-two of the Code of Public General Laws, is amended by the addition of a section to follow section eleven and to be numbered as section eleven A, under the new sub-title of "Criminal Jurisdiction" and to read as follows:

11 A. The several Justices of the Peace in the State of Maryland, (except in the City of Baltimore, and in Queen Anne's, Talbot, Harford and Frederick Counties, shall have in addition to the Jurisdiction which they now possess and which may be conferred on them by or under the laws of this State Jurisdiction concurrent with that exercised by the Circuit Courts for the several counties of this State in all cases of assault without any felonious intent and in all cases of assault and battery and in all cases of petit larceny, when the value of the property stolen does not exceed the sum of five dollars, and in all misdemeanors not punishable by confinement in the penitentiary which may be committed within their respective jurisdictions, and shall have jurisdiction in all prosecutions or proceedings for the recovery of any penalty for doing or omitting to do any act, the doing of which or the omission to do which is made punishable under the laws of this State, within their said jurisdiction by any pecuniary fine or penalty or by imprisonment in jail, or in the Maryland House of Correction, all of which acts or omissions are hereby declared to be criminal offenses, and that said Justices shall have power to issue all processes and to do all acts which may be necessary to the exercise of their said jurisdiction and may try and determine all cases thereof they may have jurisdiction and may pronounce judgment and sentence therein in the same manner and to the same extent as the circuit court for said counties could in such cases if said cases were tried before said circuit courts without the intervention of the jury, provided, however, that if any person when brought before any such Justice having jurisdiction of the case, shall before trial for the alleged offense pray a jury trial, or if the State's Attorney for said county shall before the trial of such alleged offense pray a jury trial on the part of the State, it shall be the duty of any such Justice to commit such alleged offender for trial in the Circuit Court for the county in which the offense was committed at its then session, if it be then in session or at its next session, if it be not then in session, and to return said commitment or recognizance with the names and and residences of the witnesses for the prosecution endorsed thereon, forthwith to the Clerk of said Court, and the Justice before whom the case is tried shall inform the person charged of his right to a jury trial and in receiving the recognizance sent up by the Justice the clerk shall place the same on the appeal docket and issue sub-poena for the witnesses names by the Justice and the case shall be tried on the information or the warrant as if on appeal, and if on waiver of jury trial before the Justice and trial before him, either party shall feel aggrieved, there shall be a right of appeal to the Circuit Court for the county in which the alleged offense is charged to have been committed, in case the judgment of the Justice of the peace is against the accused he shall, appeal, enter into recognizance with security to be approved by the Justice of the peace, in every such case the appeal shall be taken prayer within 10 days after judgment entered.

SECTION 3. And be it enacted, That all acts or parts of acts inconsistent with this act are hereby repealed, and that this Act shall take effect from the date of its passage.

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed January Session, 1892.

CARLTON SHAFER.
Chief Clerk of the House of Delegates.
W. G. PURNELL,
Secretary of the Senate.
Approved by the Governor,
April 7th, 1892.

CHAPTER 631.

AN ACT to add an additional section to Article twenty-seven of the Code of Public General Laws, relating to "Crimes and Punishments" under the sub-heading "Fraud by Drivers of Cabs or Hackney Carriages."

SECTION 1. Be it enacted by the General Assembly of Maryland, That the following section be added to Article twenty-seven of the Code of Public General Laws, relating to "Crimes and Punishments" to be inserted after section one-hundred and nineteen, and to be designated as Section 119 A, under the sub-head of Fraud by Drivers of Cabs or Hackney Carriages, to wit:

Section 119 A. No driver or person in charge of Cabs or Hackney Carriages shall ask, charge, demand or receive more than the rates of fare as established by the "Board of Police Commissioners" in the City of Baltimore from time to time, from any passenger or passengers, and any person violating the provisions of this section shall upon conviction be liable to a fine not exceeding fifty dollars or imprisonment in jail for a period not exceeding six months, nor less than thirty days, or both in the discretion of the Court.

SECTION 2. And be it enacted that this Act shall take effect from the date of its passage.

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed January Session, 1892.

CARLTON SHAFER,
Chief Clerk of the House of Delegates.
W. G. PURNELL,
Secretary of the Senate.
Approved by the Governor,
April 7th, 1892.

CHAPTER 241.

AN ACT to repeal and re-enact with amendments section two hundred and five of Article sixteen of the Code of Public General Laws, title "Chancery," sub-title "Trustee."

SECTION 1. Be it enacted by the General Assembly of Maryland, That section two hundred and five of Article sixteen of the Code of Public General Laws, title "Chancery," sub-title "Trustee," be and the same is hereby repealed and re-enacted so as to read as follows:

Section 205. Every trustee to whom any estate, real, personal or mixed, shall be limited or conveyed for the benefit of creditors, or to be sold for any other purpose, shall file with the Clerk of the Court in which the deed or instruments creating the trusts may be recorded a bond in such penalty as the Clerk may prescribe, being as nearly as can be ascertained, double the amount of the whole trust estate, and with sureties to be approved by the Clerk, conditioned for the faithful performance of the trust reposed in such trustee, which bond shall be retained and recorded in the office of said Clerk; but when the sale is to be made in a contingency, no bond need be given until the contingency happens, but no title shall pass to any trustee as aforesaid until such bond shall be filed and approved as aforesaid, and no sale made by any such trustee, without such bond, shall be valid or pass any title to such property or estate. If the trust estate consists of personal property, or of real and personal property or of real property situate partially in the county or city in which the grantor resides and partly in one or more other counties, it shall be sufficient that a bond has been accepted and filed in the county of the grantor's residence, if the trust estate consists entirely of real estate in a county or counties other than of the residence of the grantor, it shall be sufficient that a bond has been accepted and filed in the county in which the deed has been first recorded.

SECTION 2. And be it enacted that this Act shall take effect from the date of its passage.

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed January Session, 1892.

CARLTON SHAFER,
Chief Clerk of the House of Delegates.
W. G. PURNELL,
Secretary of the Senate.
Approved by the Governor,
April 1st, 1892.

CHAPTER 587.

AN ACT to repeal Section three hundred and twelve of Article ninety-three of the Code of Public General Laws, title "Testamentary Law," sub-title "Wills."

SECTION 1. Be it enacted by the General Assembly of Maryland, That Section three hundred and twelve of Article ninety-three of the Code of Public General Laws, title "Testamentary Law," sub-title "Wills" be and the same is hereby repealed.

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

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed January Session, 1892.

CARLTON SHAFER,
Chief Clerk of the House of Delegates.
W. G. PURNELL,
Secretary of the Senate.
Approved by the Governor,
April 7, 1892.

CHAPTER 188.

AN ACT to amend Article twenty-three of the Code of Public General Laws of Maryland, entitled "Corporations" sub-title "Turnpikes, Plank Roads and Passenger Railway Companies" by adding a new Section thereto, to be known as Section two hundred and thirty-six A.

SECTION 1. Be it enacted by the General Assembly of Maryland, That Article twenty-three of the Code of Public General Laws of Maryland, entitled "Corporations" sub-title "Turnpikes, Plank Roads and Passenger Railway Companies" be and the same is hereby amended by the addition of a new Section thereto, to be known as Section two hundred and thirty-six A, and to read as follows:

SEC. 236 A. All Turnpike or Plank Road Companies in this State are hereby authorized and empowered to charge and collect such rates of toll for traction engines, steam engines and all vehicles attached thereto, which shall be handled or propelled upon the roads and through the toll gates of such companies, as shall be fixed by said companies in accordance with the provisions of the aforesaid sub-title of this Article, and this Act shall apply as well to all turnpike and plank road companies incorporated under special Acts of the General Assembly of Maryland, as to those incorporated under the provisions of this Article.

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

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed January Session, 1892.

CARLTON SHAFER,
Chief Clerk of the House of Delegates.
W. G. PURNELL,
Secretary of the Senate.
Approved by the Governor,
March 23rd, 1892.

CHAPTER 169.

AN ACT to add an additional section to Article 93, of the Code of Public General Laws, title "Testamentary Law," sub-title "Wills," to follow Section 311 and to be known as Section 311 A.

SECTION 1. Be it enacted by the General Assembly of Maryland, That an additional section be added to Article 93 of the Code of Public General Laws, title "Testamentary Law" sub-title "Wills" to follow Section 311 and to be known as Section 311 A.

SEC. 311 A. That nothing in sections 310 and 311 of this Article shall effect or be applicable in anywise to any will or bequest executed prior to the first day of August, Eighteen hundred and eighty-four.

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

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed January Session, 1892.

CARLTON SHAFER.
Chief Clerk of the House of Delegates.
W. G. PURNELL,
Secretary of the Senate.
Approved by the Governor,
March, 22d, 1892.

CHAPTER 91.

AN ACT to repeal Section two of Article thirty-six of the Code of Public General Laws, title "Fees of Officers," and re-enact the same with amendments.

SECTION 1. Be it enacted by the General Assembly of Maryland, That Section two of of Article thirty-six of the Code of Public General Laws, title "Fees of Officers," be and the same is hereby repealed and re-enacted so as to read as follows:

SEC. 2. No account for Officers fees by any of the several Officers herein named, rendered for services to or in behalf of the counties of this State in this Section named, shall be allowed by the County Commissioners thereof until said account has been submitted to and approved by the judges of the Circuit Court of said county, or a majority thereof, as in accordance with the provisions of this Article. This Section shall apply only to the counties of Caroline, Kent, Talbot, Prince George's, Queen Anne's, Charles and Harford.

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

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed January Session, 1892.

CARLTON SHAFER,
Chief Clerk of the House of Delegates.
W. G. PURNELL,
Secretary of the Senate.
Approved by the Governor,
March 10th, 1892.

CHAPTER 636.

AN ACT to repeal Section 5 of Article 65 of the Code of Public General Laws, title Militia, and to re-enact the same with amendments.

SECTION 1. Be it enacted by the General Assembly of Maryland, That Section 5 of Article 65 of the Code of Public General Laws, title Militia be and the same is hereby repealed and re-enacted so as to read as follows:

SEC. 5. Whenever a sufficient number of Militia shall meet together and declare their purpose in writing to form a volunteer company, by subscribing their names to an agreement to that effect, they may proceed to elect company officers as provided in Section 9 of this Article, provided their number shall not consist of less than forty or more than eighty persons. The captain elect shall thereupon transmit to the adjutant general the original agreement signed by the members proposing to organize said company, together with the proceedings of the meeting held and the election, duly attested by its chairman and secretary, and whenever the said officers elect are commissioned by the Governor, as provided in Section 10, and the oaths of office, as provided in Section 22 of this Article, shall have been

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