CHAPTER 189.

AN ACT TO ADD AN ADDITIONAL SECTION TO ARTICLE 75, OF THE CODE OF PUBLIC GENERAL LAWS TITLE "PLEADINGS, PRACTICE AND PROCESS AT LAW," NEW SUB-TITLE "SPECIAL FINDING OF FACTS" TO BE DESIGNATED AS SECTION "115 A."

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That a new Section be and the same is hereby added to Article 75, of the Code of Public General Laws, title "Pleadings, Practice and Process at Law" under the new sub-title "Special Findings of Facts" to be known as Section 115 A, to follow Section 115 and to read as follows:

115 A. In all cases where issues of fact are submitted to a jury the court may at its own discretion, or shall at the request of either party, require the jury in addition to rendering a general verdict for the plaintiff or defendant, to find specially upon any particular questions of facts material to the issues on trial, which questions shall be in writing; and in all cases at law where issues of fact are tried before a court without a jury, the said court shall, at the written request of either party, find specially upon any question of facts which it may deem necessary to be determined in order to arrive at its verdict. All such special findings of facts, whether by the jury or by the court, shall be in writing and must be filed with the clerk as part of the record of the case, and in civil cases where a special finding of facts shall be inconsistent with the general verdict rendered at the same trial, the former shall control the latter and the Court must give judgment accordingly; but nothing herein contained shall limit the court's power to grant a new trial or to arrest judgment on motion.

Approved April 3, 1894.

FRANK BROWN, Governor.
JOHN WALTER SMITH,
President of the Senate.
JAMES H. PRESTON,
Speaker of the House of Delegates.

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed January Session, 1894.

J. ROGER McSHERRY,
Secretary of the Senate.
B. L. SMITH,
Chief Clerk of the House of Delegates.

CHAPTER 191.

AN ACT TO REPEAL AND RE-ENACT WITH AMENDMENTS, SECTIONS 11, 14, 15, 24, 26, 30, 32, 33 AND 36 OF ARTICLE 54, OF THE CODE OF PUBLIC GENERAL LAWS OF MARYLAND, AND TO ADD A NEW SECTION TO SAID ARTICLE TO BE DESIGNATED AS "SECTION 33 A."

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Sections 11, 14, 15, 24, 26, 30, 32, 33 and 36 of Article 54, of the Code of Public General Laws of Maryland, title "Land Office" be, and the same are hereby repealed and re-enacted, so as to read as follows:

11. All monies payable to the State on account of the public lands shall be paid to the Commissioner of the Land Office, whose receipt therefor shall be a good acquittance to the party paying the same; and the said commissioner shall keep an accurate account of all such payments in a book kept for the purpose, and shall account semi-annually, on the thirty-first day of March, and the thirtieth day of September, with the Comptroller, on oath, and pay over to the Treasurer all such monies so received.

14. He shall receive and carefully file among the records of his office, all caveats of deeds transferred to him by the Clerk of the Court of Appeals under said Act of eighteen hundred and seventy-four, Chapter 66, and all such as shall be transmitted to him by the Clerks of the Circuit Courts of the counties, and the Clerk of the Superior Court of Baltimore City, and when he shall receive a sufficient number of such extracts from the same county to form a record book of the proper size, he shall cause the same to be well and substantially bound in leather and placed among the records of his office, and the Comptroller of the Treasury is hereby directed to issue his warrant for such sum or sums of money as from time to time may be necessary for the cost of such binding, and for the purchase of index books and for the repair and re-binding of other record books in the Land Office, upon a certificate of the correctness of the same given by the Commissioner of the Land Office, and the sum of One Thousand dollars, or so much thereof as may be necessary is hereby appropriated annually for said purposes.

15. He is authorized and empowered to continue the indexing of certain land records and extracts of deeds which were transferred to the Land Office from the Court of Appeals under said Act of 1874, Chapter 66, and duly extracts of deeds as shall be received by him from the Clerks of the Circuit Courts of the counties and the Clerk of the Superior Court of Baltimore City, for which said service there shall be allowed and paid the same rates allowed by law to the Clerks of the Circuit Courts for similar services, and the Comptroller of the Treasury is directed to issue his warrants for such sum or sums as may from time to time be necessary to meet the cost of such indexing upon the certificate of the correctness of the same given by the Commissioner of the Land Office,

24. Any person desiring to take up vacant land of lands which have escheated, shall obtain a warrant from the Commissioner of the Land Office directed to the surveyor of the county where the land lies, requiring him to survey the same and return a certificate of survey to the Land Office within six months from the date of the warrant, and such warrant may be in the form heretofore used in the Land Office, and may be either a common warrant, a special warrant, a warrant of resurvey, a proclamation warrant or an escheat warrant, whichever may be suited to the case of the party applying for the same.

26. Any person may obtain a common warrant, special warrant or proclamation warrant by applying to the Commissioner of the Land Office and paying him the sum of twenty-five cents for each acre mentioned in such warrant.

30. The surveyor shall return to the Land Office within six months from the date of such warrant a certificate of survey and plot, together with the deposit of the money, if any is required, to the Commissioner of the Land Office, all such certificates will be offered for sale, and if the amount due the State as aforesaid is not paid within the time specified in said notice, the Commissioner of the Land Office may sell said certificate at public auction for cash, after reasonable notice of such sale inserted in some newspaper published in the county where the land lies, the Commissioner reserving the right to reject any bid, if he deems the price offered inadequate, and the purchaser of such certificate shall be entitled to a patent thereon upon the payment of the price bid, and the fees for patent, in the same manner as an assignee of the certificate would be entitled to patent under the rules of the Land Office, upon exhibition of the proofs of assignment, this section to apply only to those cases in which more than one year has elapsed since the date of the warrant, and nothing herein contained shall prevent any person from obtaining a proclamation warrant on such certificate as fully as if this section had not been enacted.

SECTION 3. *And be it enacted*, That this Act shall take effect from the date of its passage.

Approved April 3, 1894.

FRANK BROWN, Governor.

JOHN WALTER SMITH,
President of the Senate.
JAMES H. PRESTON,
Speaker of the House of Delegates.

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed January Session, 1894.

J. ROGER McSHERRY,
Secretary of the Senate.
B. L. SMITH,
Chief Clerk of the House of Delegates.

CHAPTER 207.

AN ACT TO AMEND ARTICLE 23 OF THE CODE OF PUBLIC GENERAL LAWS OF THIS STATE, TITLE "CORPORATIONS," SUB-TITLE "TELEGRAPH COMPANIES," AS THE SAME WAS AMENDED BY THE ACT OF 1892, CHAPTER 387, REGULATING THE RENTAL AND USE OF TELEPHONES IN THE CITIES, TOWNS AND VILLAGES OF THE STATE OF MARYLAND; BY ADDING TO SAID ARTICLE AS SO AMENDED BY SAID ACT, TWO ADDITIONAL SECTIONS TO COME IN AFTER SECTION 232 E, OF SAID ARTICLE AS SO AMENDED, AND TO BE DESIGNATED AS SECTIONS 232 F, AND 232 G, TO PERMIT THE MAKING OF SPECIAL CONTRACTS FOR TELEPHONE EQUIPMENT AND SERVICE IN THE CITIES, TOWNS AND VILLAGES OF THE STATE OF MARYLAND, AND TO PROVIDE FOR THE APPOINTMENT OF A COMMISSION TO INVESTIGATE THE AFFAIRS AND OPERATIONS OF THE CHESAPEAKE AND POTOMAC TELEPHONE COMPANY AND THE CHESAPEAKE AND POTOMAC TELEPHONE COMPANY OF BALTIMORE CITY.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Article twenty-three of the Code of Public General Laws of this State, title "Corporations," sub-title "Telegraph Companies," as the same was amended by the Act of eighteen hundred and ninety-two, chapter three hundred and eighty-seven, regulating the rental and use of telephones in the cities, towns and villages in the State of Maryland, be and the same is hereby amended by adding to said Article as so amended by said Act of eighteen hundred and ninety-two, chapter three hundred and eighty-seven, two additional sections to come in after section two hundred and thirty-two E, of said amended Article, and to be designated as sections two hundred and thirty-two F, and two hundred and thirty-two G, which said additional sections shall read as follows:

232 F. But any person, firm or corporation may contract in writing, or partly in print and partly in writing, and not otherwise, with any individual, company or corporation, now or hereafter, owning, controlling, managing or operating any telephone line or lines within the limits of this State for such special form, description and amount of telephone equipment and service, expressed in such contract, as such person, firm or corporation may need, at such rates, and upon such terms and conditions as may be agreed upon between the parties to such contract, and be expressed therein, but shall not otherwise be entitled thereto, and every form of such special contract, made for any year, shall constitute and be a form of contract for like special telephone equipment and service into which every other person, firm or corporation in like situation with the person, firm or corporation so contracting, and desiring a like special form, description and amount of telephone equipment and service shall have a right to enter, in such year, with the party so contracting for such telephone equipment and service; the special contract mentioned in this section shall be entered into before such equipment and service are supplied. Provided however, that nothing in this section shall be so construed as to impair the obligation of the individual, company or corporation owning, controlling managing or operating a telephone line or telephone lines, within the limits of this State, to furnish in accordance with the requirements of sections 232 A, 232 B, 232 C, 232 D, and 232 E, of the Code of Public General Laws (Article twenty-three), title "Corporations," sub-title "Telegraph Companies," as enacted by the Act of Assembly of eighteen hundred and ninety-two, chapter three hundred and eighty-seven, and at the rates of charge mentioned in said sections 232 A, and 232 B, telephone equipment and service of the kind and description which is now furnished by the Chesapeake and Potomac Telephone Company of Baltimore City at the rate of charge mentioned in said sections 232 A, and 232 B, and the said company as a condition precedent to the exercise of any of the powers conferred by this Act shall forthwith file in the office of the Clerk of the Court of Appeals of Maryland to be by said clerk annexed to the original of this Act filed in his office, a full and adequate description in detail, and certified by the Governor of this State to be a full and adequate description, of the equipment now used by said company in furnishing the service mentioned in this proviso, which description or a copy thereof duly certified by said clerk shall be taken as a true description of said equipment in all proceedings, whether civil or criminal, which may hereafter be taken to enforce the requirements of this proviso or of the sections of Article 23 therein mentioned, and the said equipment shall always include and secure for each subscriber a separate wire; and if any individual, company or corporation owning, controlling or managing or operating a telephone line or lines within the limits of this State, shall, at anytime hereafter, neglect or refuse to furnish the equipment and service mentioned in this proviso to any person or corporation entitled thereto under the terms of the sections of Article 23 enumerated in said proviso, the said individual, company or corporation so refusing or neglecting, and the officers and agents of any such company or corporation, and the agents of every such individual shall be liable to indictment therefor, and upon conviction thereof shall be fined for each offense not less than fifty dollars, nor more than two hundred dollars in the discretion of the Court; and provided also, that any person entitled to telephone service under the provisions of said sections 232 A to 232 F, both inclusive, but no other person, shall have the right and privilege to use, without extra charge, any other telephone equipment with the consent of the subscriber to the last mentioned equipment, and any individual, company or corporation, or the officers and agents of any such company or corporation, and the agents of every such individual refusing or neglecting to allow such right or privilege, shall be liable to indictment, and upon conviction thereof shall be fined for each offense not less than fifty dollars nor more than two hundred dollars in the discretion of the Court.

232 G. *And be it further enacted*, That there shall be appointed by the Governor, three persons, citizens of the State of Maryland, who shall serve without pay, and shall be styled "Telephone Commissioners," who shall have the powers, and discharge the duties hereinafter mentioned, that is to say, they shall, by a full and thorough investigation, ascertain the amount expended by the Chesapeake and Potomac Telephone Company, or the Chesapeake and Potomac Telephone Company of Baltimore City, in the acquisition of the rights of way and other easements, now held by either of said companies in the State of Maryland, and the amount expended in the construction of the plant, equipment and works now owned by them or either of them, and used in connection with the telephone business in said State of Maryland; and also the cost of furnishing in the City of Baltimore and other places in said State said telephone service,—both that known as the ordinary or grounded service, and also that known as the metallic circuit service; they shall also procure all such other information which in their judgment shall be necessary and proper to determine what ought to be fair and sufficient rates for furnishing such telephone service in the City of Baltimore and other places in the State of Maryland. For the purpose of discharging the duties hereby imposed on them, the commissioners above named are hereby authorized to make such examination of the books, papers and accounts of the companies above named, as shall be necessary for that purpose, and also to summon before them, and examine under oath, to be by them administered, all the officers and agents of said companies and such other persons whom they may deem necessary to examine for the purposes above mentioned, which said summons the sheriffs of Baltimore City and the several counties of Maryland are hereby directed to serve. The said commissioners are also hereby authorized to employ an expert accountant to assist them in the discharge of their duties, the salary to be paid the said accountant and also the necessary expense of the said commissioners in the discharge of their duties, shall be paid by said Chesapeake and Potomac Telephone Co., of Baltimore City; the exercise of the privileges granted by section 232 F of this Article, shall be considered as an assent by the companies above named to the examination authorized to be made by this section, of the books, papers and accounts of said companies so far as necessary for the purposes above mentioned, and of their officers and agents. It is hereby made the duty of said commissioners to report to the next General Assembly of this State, the result of the investigation and examination by this section directed to be made, together with any recommendations they think proper to make upon the subject matter thereof.

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

Approved April 3, 1894.

FRANK BROWN, Governor.
JOHN WALTER SMITH,
President of the Senate.
JAMES H. PRESTON,
Speaker of the House of Delegates.

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed January Session, 1894.

J. ROGER McSHERRY,
Secretary of the Senate.
B. L. SMITH,
Chief Clerk of the House of Delegates.

CHAPTER 217.

AN ACT TO REPEAL AND RE-ENACT SECTION FORTY-SEVEN OF ARTICLE FORTY-THREE OF THE CODE OF PUBLIC GENERAL LAWS, ENTITLED "HEALTH," SUB-TITLE "PRACTITIONERS OF MEDICINE," AND TO ADD ADDITIONAL SECTIONS THERETO, TO BE DESIGNATED AS SECTIONS 53, 54, 55, 56, 57, 58, 59 and 60 OF SAID ARTICLE:

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Section 47 of Article 43 of the Code of Public General Laws title "Health," sub-title "Practitioners of Medicine," be and the same is hereby repealed and re-enacted, and that new sections be added to said Article, to be designated as Sections 53, 54, 55, 56, 57, 58, 59 and 60, so as to read as follows:

47. That every license to practice medicine and surgery, issued pursuant to the provisions of this Act, shall be subscribed by the president and secretary of the board before whom the applicant has passed. It shall also have affixed to it by the person authorized to affix the same the seal of said medical and chirurgical faculty or Maryland, or of the Maryland State Homeopathic Medical Society, as the license may require, every such license to be in the following form, and to the following effect;

To All Whom it May Concern, Greeting:

Be it known, that , on the day of , A. D., having offered us satisfactory proof that was more than twenty-one years of age, and had received a proper preliminary education, we therefore give a written order for the examination of said before one of the board of medical examiners of the State of Maryland, that the said was fully examined before our said board and found proficient and qualified to practice medicine and surgery, we, therefore, have granted to said this, our license to practice medicine and surgery in the State of Maryland as a physician and surgeon, and have caused the names president and secretary of our board to be subscribed and the seal of our society to be affixed thereto.

Witness our hands and the seal of our said society, this day of A. D.

President.
Secretary.

[SEAL OF SOCIETY.]

53. From and after the first day of July, 1894, no person shall practice medicine or surgery in the State of Maryland, unless he or she shall be duly registered as a physician or surgeon, in accordance with the provisions of this Act.

54. Every person who was practicing medicine in the State of Maryland, on or before the first day of June, 1892, shall be entitled to be registered as physician or surgeon, or both, upon application to the clerk of the Circuit Court of the county in which he or she may reside or to the Clerk of the Circuit Court of Baltimore City, if the applicant shall reside in Baltimore City, and such application shall be in writing, signed by the applicant, who shall state, under oath, that he or she was in fact a practitioner of medicine or surgery, in the State of Maryland, on or before the first day of June, 1892, and thereupon it shall be the duty of said clerk to register such application and the name of such applicant, as physician or surgeon, or both, in a book to be kept for such purpose, and a certified copy of such entry of registration, under the seal of the Court, shall be legal evidence of such registration in all the courts of this State.

55. All persons who have commenced to practice medicine or surgery, in the State of Maryland, since the first day of June, 1892, or who shall hereafter commence to practice medicine or surgery in this State shall not be entitled to be registered in the Registered Physicians and Surgeons, as required by law except upon filing with the clerk of the Circuit Court, of the county or city, in which he or she shall reside, a license from one of the duly constituted Boards of Medical Examiners of this State, in accordance with the terms of Sections 47 and 48 of this article, except that physicians and surgeons who have come into this State since said first day of June, 1892, or who shall hereafter come into this State to follow the practice of medicine and surgery, may receive a license, which shall entitle them to be registered as physicians and surgeons, in accordance with law, upon application to one of the duly constituted Boards of Medical Examiners, in accordance with the provisions of Section 56 of this act.

56. Physicians and surgeons of good moral and professional standing, who have come into this State, with intent to follow the practice of medicine and surgery within this State, since the first day of June, 1892, or who shall hereafter come into this State, being graduates of a medical college of good standing, and who have been practitioners of medicine or surgery for more than ten years prior to the date of the application may make application to the president of one of the boards of medical examiners of this State, which application shall be under oath, and shall state where and how long said applicant has been engaged in the practice of medicine and surgery, and enclose with the application a diploma or other institution of learning, he or she has graduated; and thereupon the said board of medical examiners shall have the authority and discretion to require said applicant to undergo an examination, in accordance with the provisions of Sections 41 to 47 inclusive of this article, or may require said applicant to submit to a special examination, the terms and methods of which shall be prescribed by the said board of medical examiners; and upon paying the fee for examination, as set out in Section 45 of this article, after the examination and determination of said board thereupon, that said applicant is qualified to practice medicine and surgery, and that he is entitled to a license, a license shall be issued to him to the same effect as the form of license set out in section 47 of this article; which license shall then be filed and recorded as provided by section 47 of this article and it shall then be the duty of the clerk of the court to register the name of the person so licensed as physician or surgeon, or both, in accordance with the provisions of this Act.

57. All persons whose licenses have been heretofore filed and recorded, in accordance with section 48 of this article shall be held to be duly registered physicians and surgeons within the provisions of section 53 of this article and all persons who shall hereafter receive and file their licenses to be recorded in the manner with said section 48, shall be registered as physicians and surgeons under said section, and the fee to be paid for such registration and for the registration of the application to the clerk, or the license therewith as the case may require, shall be one dollar.

58. If any person shall unlawfully obtain and procure himself to be registered as physician or surgeon, either by false and untrue statement contained in his application to the clerk of this court, as required by this article, or by presenting to said clerk a false or untrue license, or one fraudulently obtained by false and fraudulent statements made to one of said boards of medical examiners, he or she shall be deemed guilty of a misdemeanor and shall be fined not less than fifty dollars or more than five hundred dollars, and shall forfeit all rights and immunities obtained or conferred upon him by virtue of such registration, as physician or surgeon.

59. Any person who after the first day of July, 1894, shall practice or attempt to practice medicine or surgery in this State without being registered in accordance with the provisions of this Act, shall be guilty of a misdemeanor and shall be fined not less than ten dollars nor more than two hundred dollars for each offense.

60. The provisions of this act shall not apply to any midwife or person who may render gratuitous services in case of emergency.

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

Approved April 6, 1894.

FRANK BROWN, Governor.
JOHN WALTER SMITH,
President of the Senate.
JAMES H. PRESTON,
Speaker of the House of Delegates.

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed January Session, 1894.

J. ROGER McSHERRY,
Secretary of the Senate,
B. L. SMITH,
Chief Clerk of the House of Delegates.

CHAPTER 221.

AN ACT TO REPEAL SECTIONS 98, 99 AND 100 OF ARTICLE 16, OF THE CODE OF PUBLIC GENERAL LAWS AND TO RE-ENACT THE SAME AS AMENDED SO AS TO AUTHORIZE ANY COURT WHICH MAY HAVE APPOINTED A GUARDIAN, COMMITTEE OR TRUSTEE OF THE PROPERTY OF A PERSON NON-COMPOS MENTIS, TO ORDER OR DECREE UPON THE APPLICATION OF SUCH GUARDIAN, COMMITTEE OR TRUSTEE A SALE, LEASE OR SURRENDER OF A LEASE OF ANY REAL LEASEHOLD OR PERSONAL PROPERTY TO WHICH SUCH PERSON NON-COMPOS MENTIS MAY BE ENTITLED WITHOUT ANY PROCESS OR ORDER OF PUBLICATION AND TO GIVE TO ANY SUCH ORDER OR DECREE AS MAY HERETOFORE HAVE BEEN PASSED THE SAME EFFECT AS IF IT HAD BEEN PASSED AFTER THE PASSAGE OF THIS ACT.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Sections 98, 99 and 100 of Article 16, of the Code of Public General Laws be and the same are hereby repealed and re-enacted so as to read as follows:

98. The court which may have appointed a guardian, committee or trustee of the property of a person non-compos mentis may upon

the application of such guardian, committee or trustee without any process or order of publication order or decree the sale of any real leasehold or personal property to which such person non-compos mentis may be entitled and order the money arising therefrom to be invested in stocks or other property or in mortgages on real estate or in other safe securities as the court may deem most advantageous to such person non-compos mentis and on the death of such person non-compos, mentis, the principal arising from any such sale shall pass to and vest in the person or persons in whom such property would have vested if the same had not been sold, any decree or order which may have been heretofore passed for the sale of the property of any person non compos mentis shall have the same effect as if it had been passed after the adoption of this section.

99. The court which may have appointed a guardian, committee or trustee of the property of a person non-compos mentis may upon the application of such guardian, committee or trustee without any process or order of publication order or decree any real or leasehold property of a person non-compos mentis to be leased for any term of years or may order or decree the surrender of any lease of the estate or property of such person non-compos mentis to be accepted and the same to be demised anew on such terms and conditions as the court may direct.

100. In all applications by a guardian, committee or trustee of the property of a person non-compos mentis to sell any of the real, leasehold or personal property of such person non-compos mentis or to demise any of the real or leasehold property of such person non-compos mentis or to accept the surrender of lease thereof the court shall before passing an order or decree have proof taken as in other chancery cases as to the value, quantity and condition of the property and after considering all the circumstances if the court shall deem it to the interest and advantage of such person non-compos mentis, it may order or decree a sale, lease or surrender of a lease of the whole or any part of the said property on such terms and conditions as the court may prescribe.

SECTION 2. *And be it further enacted by the General Assembly of Maryland*, That this Act shall take effect immediately on its passage.

Approved April 6, 1894.

FRANK BROWN, Governor.
JOHN WALTER SMITH,
President of the Senate.
JAMES H. PRESTON,
Speaker of the House of Delegates.

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed January session, 1894.

J. ROGER McSHERRY,
Secretary of the Senate.
B. L. SMITH,
Chief Clerk of the House of Delegates.

CHAPTER 232.

AN ACT TO REPEAL SECTION 124 A OF ARTICLE 27 OF THE CODE OF PUBLIC GENERAL LAWS, TITLE "CRIMES AND PUNISHMENTS," SUB-TITLE "GAMING" AS ENACTED BY THE ACT OF 1890 CHAPTER 206 AND TO RE-ENACT THE SAME WITH AMENDMENTS.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That section 124 A of article 27 of the Code of Public General Laws title "Crimes and Punishments" sub-title "Gaming," as enacted by the act of 1890, chapter 206 be and the same is hereby repealed and re-enacted with amendments so as to read as follows:

SECTION 124 A. It shall be unlawful for any person or persons or association of persons to gamble or make books and pools on the trotting race or running race of horses or race of any kind, or to establish, keep, rent or use or knowingly suffer to be used or occupied any house, building or portion of a building, vessel or place by any person for the purpose of making or selling therein any book or pool or of otherwise betting therein or thereon upon the result of any trotting race or running race of horses or race of any kind, provided nothing in this section shall render it unlawful for any person to make a pool or a book or to bet within the grounds of any agriculture association or upon any horse race which shall be held within the same grounds, race course or driving park upon which said person shall so make a pool or a book or shall so bet upon the same day on which said race shall be so held or within more than thirty days in any one calendar year; any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine not exceeding five hundred dollars, one-third to go to the informer, or imprisonment in jail for a period of not less than six months nor more than one year.

SEC. 2. *And be it further enacted*, That this act shall take effect from the date of its passage, but nothing herein contained shall apply to or affect any civil or criminal proceedings actually pending at the date aforesaid.

Approved April 3, 1894.

FRANK BROWN, Governor.
JOHN WALTER SMITH,
President of the Senate.
JAMES H. PRESTON,
Speaker of the House of Delegates.

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed January Session, 1894.

J. ROGER McSHERRY,
Secretary of the Senate,
B. L. SMITH,
Chief Clerk of the House of Delegates.

CHAPTER 246.

AN ACT TO ADD A NEW SECTION TO ARTICLE 27 OF THE CODE OF PUBLIC GENERAL LAWS, TITLE "CRIMES AND PUNISHMENTS," SUB-TITLE "HEATING STEAM PASSENGER CARS," TO FOLLOW SECTION 150, AND TO BE NUMBERED SECTION 150 A.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That a new section be and the same is hereby added to article 27 of the Code of Public General Laws, title "Crimes and Punishments" sub-title "Heating Steam Passenger Cars" to follow Section 150 and to be known as Section 150 A, and to read as follows:

150 A. The provisions and requirements of section 150 of this article shall apply to passenger cars while the same are in use as a part of a mixed train, that is to say: where passenger cars are attached to freight cars and together make up a train, so far as the same shall apply to Allegany and Garrett counties.

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

Approved April 3, 1894.

FRANK BROWN, Governor.
JOHN WALTER SMITH,
President of the Senate.
JAMES H. PRESTON,
Speaker of the House of Delegates.

We hereby certify, That the aforegoing is a correct copy of an act of the General Assembly of Maryland, passed January session, 1894.

J. ROGER McSHERRY,
Secretary of the Senate.
B. L. SMITH,
Chief Clerk of the House of Delegates.

CHAPTER 247.

AN ACT TO PROVIDE FOR THE TREATMENT AND CURE OF HABITUAL DRUNKARDS.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That any inhabitant of this State who is of kin to or a friend of an habitual drunkard as hereinafter defined, may petition the Circuit Court of the county of the residence of such drunkard or the Circuit Court of Baltimore city if said habitual drunkard resides therein, for leave to send such drunkard at the expense of said county or city of Baltimore to such institution for the medical treatment of drunkenness as the said court may designate. Which petition shall set forth the name, age and condition of such habitual drunkard and that such drunkard or those of his kin petitioning are not financially able to incur the expense of his cure, and shall set forth that said drunkard is willing and will agree to attend such institution for the cure of drunkenness; which petition shall be verified by the person making such request, and shall contain in addition thereto the written agreement of such habitual drunkard to take such treatment and obey the rules of the institution administering the same, and the names of three taxpayers in the county of his residence, or of Baltimore City, if he resides therein, stating that they are familiar with the facts set forth in the petition, and that they are familiar with the financial circumstances of such drunkard and of the petitioning kin, and think it a proper case for assistance from the County wherein the said habitual drunkard resides, or Baltimore City if he resides therein.

SECTION 2. When such petition is filed, any Judge of the Circuit Courts referred to in section one; shall, if satisfied from examination, that the facts set forth in the petition are true and that the said drunkard has been a resident of the County or of Baltimore City for six months next preceding the application, and that such drunkard of his own free will desires to take such treatment, send such habitual drunkard to some institution for the cure of drunkenness; provided said institution is located in the State of Maryland and that the managers of such institutions will agree to treat such patient for a sum not to exceed $100, but such Court shall not be compelled to send such habitual drunkard to any institution making a lower bid than the sum herein specified, unless in their judgment the best interest of such drunkard shall be promoted thereby, and the said Judge of the Circuit shall thereupon make an order that

the expense of such treatment be paid out of the Treasury of the County or City of Baltimore, as the case may be, in the same manner that other claims against such County or City of Baltimore for the administration of Justice are paid, provided that no County or the City of Baltimore shall be required to send the same habitual drunkard to any institution for the medical treatment of drunkenness a second time at its expense.

SECTION 3. No provision of this act shall be at any time construed as in any way abrogating, limiting or abolishing the powers of Judges of Circuit Courts under Section 47, Article 16 of the Code of Public General Laws, providing for the committal of inebriates.

SECTION 4. The officers of whatever institutions may be designated for the treatment of the habitual drunkards, payment for whose cure is provided by this act, shall become sworn officers of the Court committing said habitual drunkards to their care, and shall have power to enforce such reasonable rules as may be necessary for the administration of treatment to the patient provided for and created by this Act, but they shall receive no fee or compensation from any County or the City of Baltimore other than the sum provided and limited by Section 2. of this Act.

SECTION 5. A drunkard as mentioned in the foregoing sections of this act shall be deemed to include any person who has acquired the habit of using spirituous, malt or fermented liquors, cocaine or other narcotics to such a degree as to deprive him or her of reasonable self-control.

SECTION 6. And be it enacted that this act shall take effect from the date of its passage.

Approved April 3, 1894.

FRANK BROWN, Governor.
JOHN WALTER SMITH,
President of the Senate.
JAMES H. PRESTON,
Speaker of the House of Delegates.

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed January Session, 1894.

J. ROGER McSHERRY,
Secretary of the Senate.
B. L. SMITH,
Chief Clerk of the House of Delegates.

CHAPTER 253.

AN ACT TO REPEAL SECTIONS 127 OF ARTICLE 23 OF THE PUBLIC GENERAL LAWS OF MARYLAND, TITLE "CORPORATIONS," SUB-TITLE "INSURANCE DEPARTMENT" AND TO RE-ENACT THE SAME WITH AMENDMENTS.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Section 127 of Article 23 of the Public General Laws of Maryland title "Corporations" sub-title "Insurance Department" be and the same is hereby repealed and re-enacted so as to read as follows:

Section 127. Any person, body politic or corporate partnership or association who or which shall make, negotiate or solicit within this State any contract or contracts which shall effect an Insurance or Insurances or pretend to effect an Insurance or Insurances or connect any other person or persons with them in any policy they may at the time hold or shall issue any business of Insurance of any kind or make any guaranty contract or pledge for the payment of annuities or endowments or money whether the amount thereof be fixed or contingent to the families, or representatives of any policy or certificate holder or the like or shall write or cause to be written any circular, notice or open or keep any office for the transaction of said business, except an Insurance broker duly licensed, without fully complying with all the provisions of this subtitle of this Article, shall be subject to the fines and penalties imposed by Section 133 of this Article and the term Insurance Company as used in this Article shall be taken to embrace every corporation, association, partnership or individual, transacting the business of Insurance and every such corporation, association, partnership or individual, making any engagement for the payment of any money or other benefits in the event of sickness, accident or death or other contingency, or any person, member, policy or certificate holder or by whatsoever name the same may be known or to their families or representatives or entering into any contract or agreement in which the chances or probabilities of the duration of life or the rate of mortality or hazard of occupation are in any way involved as an element or condition of such contract or agreement shall be deemed and taken to be a life Insurance Company within the meaning of this Article and shall be subject to all the requirements of law applicable to said life insurance company provided that the said business may be conducted on the mutual or co-operative plan and that all such organizations shall prior to beginning business and thereafter have in force bona fide application for membership from at least one hundred persons and in case said organization shall issue policies for a maximum sum of less than five hundred dollars, these said applications shall at least equal Ten Thousand Dollars of Insurance and if any certificate of insurance on one life be issued exceeding the sum of Five Hundred, then they shall at least equal the amount of Insurance now required by law for a mutual company and in addition thereto comply with the seven following sections of this Article for said mutual or co-operative organizations provided that nothing herein contained shall be construed to apply to the granting of relief or benefits to members or their families by any societies of a purely and exclusively religious, charitable or benevolent description which are not operated with a view to a profit by their officers or members.

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

Approved April 6, 1894.

FRANK BROWN, Governor.
JOHN WALTER SMITH,
President of the Senate.
JAMES H. PRESTON,
Speaker of the House of Delegates.

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed January Session, 1894.

J. ROGER McSHERRY,
Secretary of the Senate.
B. L. SMITH,
Chief Clerk of the House of Delegates.

CHAPTER 263.

AN ACT TO REPEAL AND RE-ENACT WITH AMENDMENTS SECTION 264, OF ARTICLE 23, OF THE CODE OF PUBLIC GENERAL LAWS TITLE "CORPORATIONS" SUB-TITLE "DISSOLUTION OF CORPORATIONS," WHEREAS IT HAS BEEN DETERMINED BY THE COURT OF APPEALS THAT CORPORATIONS ARE NOT SUBJECT TO THE INSOLVENT SYSTEM, AND THEREFORE THE INITIAL EXPRESSION IN SAID SECTION IS TO SUCH AN EXTENT AMBIGUOUS, AS TO INTERFERE WITH THE USEFULNESS OF THE SECTION.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Section 264, of Article 23, of the Code of Public General Laws, title "Corporations," sub-title "Dissolution of Corporations" be and the same is hereby repealed and re-enacted with an amendment so as to read as follows:

264. Whenever any corporation in this State shall have been determined by legal proceedings, to be insolvent, or shall be proven to be insolvent by proof offered under any bill filed under the provisions of this section, it shall be sufficient to show or prove that one of the said two contradictory statements is or must be false and wilful without specifying which one.

227. Any person who shall procure another to make a false oath or affirmation in any of the cases embraced in the two preceding sections, shall be deemed guilty of subornation of perjury.

228. Every person who shall be convicted of "perjury" or "subornation of perjury" shall be sentenced to imprisonment in the jail or penitentiary for not more than ten years.

Approved April 6, 1894.

FRANK BROWN, Governor.
JOHN WALTER SMITH,
President of the Senate.
JAMES H. PRESTON,
Speaker of the House of Delegates.

We hereby certify that the aforegoing is a correct copy of an Act of the General Assembly of Maryland, passed January Session, 1894.

J. ROGER McSHERRY,
Secretary of the Senate.
B. L. SMITH,
Chief Clerk of the House of Delegates.

CHAPTER 273.

AN ACT TO REGULATE THE PRACTICE OF VETERINARY MEDICINE AND SURGERY IN THE STATE OF MARYLAND.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That a commission is hereby established to be known under the name and style of "The State Veterinary Medical Board," to consist of five commissioners who shall be members in good standing of some School of Veterinary Medicine, who shall be appointed by the Governor every four years, and who shall hold their office until their successors are duly appointed and qualified with power in and to said Board to adopt By-Laws and Regulations, such as they may deem advisable to carry into effect the provisions of this Act, provided the said By-Laws shall not conflict with the Constitution or laws of this State or the Uniform United States.

SECTION 2. It shall be unlawful for any person or persons to practice veterinary medicine and surgery in the State of Maryland without having previously obtained a diploma from a college duly authorized to grant such students of Veterinary Medicine and Surgery or to those who have passed satisfactory examinations before the State Veterinary Medical Board, or as herein provided for.

SECTION 3. The said State Veterinary Medical Board shall hold their meetings at such times and places as they may deem best, which times and places shall be set out fully and regularly in the By-laws.

SECTION 4. The said State Veterinary Medical Board shall examine all diplomas as to their genuineness, and each applicant not holding a diploma shall submit a theoretical and practical examination before the State Veterinary Medical Board, said examination to be written, oral, or both, which examination, if passed to the satisfaction of the said Board, shall entitle the applicant to practice Veterinary Medicine and Surgery, subject to provisions and regulations of this Act and regulations of the said Board.

SECTION 5. All examinations of persons not graduates shall be made directly by the State Veterinary Medical Board, and the certificates issued by the said Board shall authorize the possessors to practice Veterinary Medicine and Surgery in the State of Maryland. All examinations of un-graduated practitioners must take place before the thirty-first day of December, eighteen hundred and ninety-four. After that date no certificate shall be granted except to persons presenting diplomas from legally chartered colleges.

SECTION 6. Any person shall be regarded as practicing Veterinary Medicine and Surgery, within the meaning of this Act, who shall have received a license as mentioned in Section 4. But nothing in this Act shall be construed to prohibit members of the medical profession from prescribing for domestic animals in case of emergency and collecting a fee therefor: nor to prohibit gratuitous services in an emergency, nor to prevent any person from practicing Veterinary Medicine and Surgery on any animal bel