JIM CROW FOR STEAMBOATS.

CHAPTER 110.

AN ACT to provide for the separate accommodation of white and colored passengers in the sitting, sleeping and eating apartments of all steamboats plying in the waters within the jurisdiction of the State of Maryland without any difference or discrimination in the quality and convenience of accommodation.

Section 1—Be it enacted by the General Assembly of Maryland, That it shall be the duty of any captain, purser, or other officer in command of any steamboat carrying passengers and plying in the waters within the jurisdiction of the State of Maryland, to assign white and colored passengers on said boats to the respective locations they are to occupy as passengers while on said boat; and that it shall be the duty of said captain, purser or other officer in command to separate, as far as the construction of his boat and due consideration for the comfort of the passengers will permit, the white and colored passengers on said boat in the sitting, sleeping and eating apartments; provided, however, that no discrimination shall be made in the quality and convenience of accommodation afforded passengers in said locations, and provided, that this Act shall not apply to nurses or attendants traveling with their employers, nor to officers in charge of prisoners, whether the said prisoners are white or colored, or both white and colored, or to prisoners in their custody.

Sec. 2—And be it enacted, That any captain, purser or other officer in command of any steamboat as aforesaid, who shall fail or refuse to carry out the provisions of Section one of this Act shall be deemed guilty of a misdemeanor, and upon indictment in any court having jurisdiction, and conviction thereof, shall be fined not less than twenty-five dollars, and not more than fifty dollars for each offense.

Sec. 3—And be it enacted, That any passenger travelling on any steamboat plying in the waters within the jurisdiction of this State who shall wilfully refuse to occupy the location, whether of sitting, sleeping or eating, set apart or assigned by the captain, purser or other officer in command of such boat, shall be deemed guilty of a misdemeanor, and on indictment in any court having jurisdiction and conviction thereof shall be fined not less than five dollars nor more than fifty dollars, or be confined in jail not less than thirty days, in the discretion of the court, for each offense; and such passenger may be ejected from the said boat by the officers thereof, at any wharf or landing place of said boat, and if necessary such assistance may be invoked by the person in charge of said boat as he may require to eject such passenger; and provided, that in case of such ejectment neither the captain nor other person in charge of such boat, nor the steamboat company or corporation or person owning or operating such boat shall be liable in damages in any court.

Sec. 4—And be it enacted, That this Act shall take effect from the first day of July, in the year nineteen hundred and four.

Approved, March 17, 1904.

PERFECTING TITLE IN BONDS.

CHAPTER 123.

AN ACT to make Valid Deeds, Mortgages, Bonds of Conveyance and Bills of Sale Defective in Acknowledgment or in the Certificate Thereof.

Section 1.—Be it enacted by the General Assembly of Maryland, That Section 3 of the Acts of the General Assembly of Maryland, Session of 1900, entitled "An Act to make valid deeds, mortgages, bonds of conveyance and bills of sale, defective in the acknowledgement or in the certificate thereof," be and the same is hereby repealed and re-enacted, so as to read as follows:

82.—All deeds, mortgages, releases, bonds of conveyance, bills of sale, chattel mortgage and all other conveyances of real or personal property or of any interest therein, which have been executed, acknowledged and recorded in the State, subsequent to the passage of the Act of the General Assembly of Maryland, passed at the January Session, 1858, Chapter 208, which may not have been acknowledged according to the laws existing at the time of said acknowledgement, or when the certificate of acknowledgment is not in the prescribed form, or where the official character of the officer taking the acknowledgment has not been certified to as required by law, or where the conveyance has not been witnessed, as required by law, shall be and the same are hereby made valid to all intents and purposes, as if the said conveyance had been acknowledged, certified to and witnessed according to law.

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

Approved, March 22, 1904.

PROCESS AND PRACTICE—J. P.

CHAPTER 89.

AN ACT to repeal Section 29A of Article 52 of the Code of Puolic General Laws of Maryland, title "Justices of the Peace," sub-title "Process and Practice," as enacted by Chapter 11 of the Acts of 1900, and to re-enact said Section 29A with amendments.

Section 1—Be it enacted by the General Assembly of Maryland, That Section 29A of Article 52 of the Code of Public General Laws of Maryland, title "Justices of the Peace," sub-title "Process and Practice," as enacted by Chapter 11 of the Acts of 1900, be and the same is hereby repealed, and said Section 29A is hereby re-enacted with amendments, so as to read as follows:

Sec. 29A—In all actions or proceedings before any Justice of the Peace in this State, and appeals therefrom, the partnership of parties, the incorporation of any body corporate and the representative character of any party, suing or being sued, shall be taken as admitted for the purposes of such action or proceeding, unless the fact of such partnership, incorporation or representative character, as the case may be, shall be denied in writing, under oath, by the opposite party, before the hearing of such case or proceeding; provided, however, that in the case of a corporation, the affidavit to such denial may be made by the president, vice-president, secretary or treasurer thereof, and in the case of a partnership, by any one of the partners. And whenever such denial under oath is so made, the Court or Justice before whom the case or proceeding is pending shall, at the request of the party against whom such denial is made, postpone or continue the same to such reasonable time as will enable such party to procure the required proof.

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

Approved March 17th, 1904.

JIM CROW FOR STEAM RAILWAYS

CHAPTER 109.

AN ACT to Require all Railroad Companies and Corporations, and all Persons Running or Operating Cars or Coaches by Steam on any Railroad Line or Track in the State of Maryland, for the Transportation of Passengers, to provide Separate Cars or Coaches for White and Colored Passengers, without any Difference or Discrimination in the Quality of or Convenience or Accommodation in such Cars or Coaches.

Section 1.—Be it enacted by the General Assembly of Maryland, That all railroad companies and corporations, and all persons running or operating cars or coaches by steam on any railroad line or track in the State of Maryland, for the transportation of passengers, are hereby required to provide separate cars or coaches for the travel, and transportation of the white and colored passengers on their respective lines of railroad; and each compartment of a car or coach, divided by a good and substantial partition, with a door or place of exit from each division, shall be deemed a separate car or coach within the meaning of this Act, and each separate car, coach, or compartment shall bear in some conspicuous place, appropriate words, in plain letters, indicating whether it is set apart for white or colored passengers.

Sec. 2.—And be it enacted, That the railroad companies and corporations and persons aforesaid, shall make no difference or discrimination in quality of, or convenience or accommodation in the cars, coaches or compartments set apart for white and colored passengers.

Sec. 3.—And be it enacted, That any railroad company or corporation or person that shall fail, refuse or neglect to comply with the provisions of sections one and two of this Act, shall be deemed guilty of a misdemeanor, and upon indictment and conviction thereof, shall be fined not less than three hundred dollars, nor more than one thousand dollars for each offense.

Sec. 4—And be it enacted, That the conductors or managers on all railroads shall have power, and are hereby required to assign to each white or colored passenger his or her respective car, coach or compartment, and should any passenger refuse to occupy the car, coach or compartment to which he or she may be assigned by the conductor or managers shall have the right to refuse to carry such passenger on his train, and may put such passenger off his train, and for such refusal or putting off the train, neither the conductor, manager nor railroad company or corporation, or person owning or operating the same shall be liable for damages in any court; and the passenger so refusing to occupy the car, coach, or compartment to which he or she may be assigned by the conductor or manager, shall be deemed guilty of a misdemeanor, and on indictment and conviction thereof shall be fined not less than five dollars nor more than fifty dollars, or be confined in jail not less than thirty days, or both, in the discretion of the court, for each offense.

Sec. 5.—And be it enacted, That any conductor or manager on any railroad, who shall fail or refuse to perform the duties imposed upon him by Section four of this Act, shall be deemed guilty of a misdemeanor, and upon indictment and conviction thereof, shall be fined not less than twenty-five dollars and not more than fifty dollars for each offense.

Sec. 6.—And be it enacted, That when any car, coach or compartment for either white or colored passengers shall be completely filled, where no extra cars or coaches can be obtained, and the increased number of passengers could not be foreseen, the conductor or manager in charge of such train is hereby authorized to assign and set apart a portion of the car, coach or compartment assigned to passengers of one color to passengers of the other color.

Sec. 7.—And be it enacted, That the provisions of this Act shall not apply to employes of railroads, or to persons employed as nurses, or to officers in charge of prisoners, whether the said prisoners are white or colored, or both white and colored, or to the prisoners in their custody, nor shall the same apply to the transportation of passengers in any caboose car attached to a freight train, nor to parlor nor sleeping cars, nor through express trains that do no local business.

Sec. 8.—And be it enacted, That this Act shall take effect from the first day of July, in the year nineteen hundred and four.

Approved, March 17, 1904.

SAFE DEPOSITING COMPANIES.

CHAPTER 92.

AN ACT to add an Additional Section to Article 23 of the Code of Public General Laws of Maryland, title "Corporations," to be known as Section 221A, sub-title "Safe Deposit Companies," Defining and Restricting the Terms upon which Trustees, Executors or Administrators, or other Fiduciaries, Renting Boxes, or Safes in Safe Deposit Vaults in this State, shall be permitted to have Access and Entry to the same, in Person or by Deputy.

Section 1—Be it enacted by the General Assembly of Maryland, That a new section be, and it is hereby added to Article 23 of the Code of Public General Laws of Maryland, title "Corporations," to be known as Section 221A, sub-title "Safe Deposit Companies," and to follow Section 221 of said Article, which new section shall read as follows:

Safe Deposit Companies.

Section 221A—No safe deposit company, incorporated under the laws of this State or any other State, the District of Columbia, or any territory of the United States, and engaged in the business of renting out locked boxes or safes for the storage or safe keeping of securities and valuables, in a vault in its building, or under its control, within this State and no corporation engaged in said business within this State, shall permit entry or access to be made by one of any two or more co-trustees, co-executors or administrators, or other joint fiduciaries, to whom it shall have rented a safe or box in such vault for the storage or safe keeping of securities or other valuables belonging to their trust estate, nor permit such entry or access in such cases to be made otherwise than by all of such lessees in person, their survivors or successors; nor, where such safe or box is rented to a single trustee, executor, administrator or other fiduciary for such purpose, permit such entry or access otherwise than by such trustee or other fiduciary in person or his successors; provided, however, That where it is otherwise stipulated in writing in the lease of such box or safe, signed by all of such lessees, or where a written power of attorney or other written authority is filed with such company signed by all of the lessees or by the one or more conferring such power on the other or others, authorizing such entry or access by one or more of their number, or by a deputy therein duly named and authorized, then in such cases entry may be permitted in accordance with the provisions of such written lease or authority.

Approved, March 17, 1904.

CONCEALED WEAPONS.

CHAPTER 114.

AN ACT to repeal Section 30 of Article 27 of the Code of Public General Laws of Maryland, title "Crimes and Punishments," sub-title "Concealed Weapons," and to re-act the same with amendments.

Section 1—Be it enacted by the General Assembly of Maryland, That Section 30 of Article 27 of the Code of Public General Laws, title "Crimes and Punishments," sub-title "Concealed Weapons," is hereby repealed and re-enacted with amendments so as to read as follows:

Sec. 30—Every person not being a conservator of the peace entitled or required to carry such weapon as a part of his official equipment, and not carrying such weapon as a reasonable precaution against apprehended danger, or who is not an officer or conservator of the peace of some other state temporarily sojourning in this State, or a railway special agent, who shall wear or carry any pistol, dirk-knife, bowie-knife, slung-shot billy, sand-club, metal knuckles, razor or any other dangerous or deadly weapon of any kind whatsoever (penknives excepted), concealed upon or about his person, and every person who shall carry or wear any such weapon openly with the intent or purpose of injuring any person in any unlawful manner, and not for any proper purpose of self-protection, shall, upon conviction thereof, be fined not more than one thousand dollars, or be imprisoned not more than two years in jail or in the House of Correction; and the court or jury before whom any such case may be tried shall in all cases have the right to judge of the reasonableness of the carrying of any such weapon, and of the proper occasion therefor, upon satisfactory proof; and in case, upon conviction of any offender, the court, in view of the evidence, shall be of the opinion that such weapon was carried with the deliberate purpose of inflicting grievous and unlawful injury to the life or person of another, it shall in that case be the duty of the court to impose the highest sentence of imprisonment hereinbefore prescribed.

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

Approved, March 22, 1904.

PLEADING, PRACTICE—REPLEVIN

CHAPTER 26.

AN ACT to add a new Section to Article 75, of the Code of Public General Laws, title "Pleading, Practice and Process," sub-title "Replevin," to come in after Section 111, and to be known as Section 111A, relating to Bonds in Actions of Replevin.

Section 1—Be it enacted by the General Assembly of Maryland, That a new section be and hereby is added to Article 75, of the Code of Public General Laws, title "Pleading, Practice and Process," sub-title "Replevin," to come in after Section 111, and to be known as Section 111A, relating to bonds in actions of replevin.

Sec. 111A—That from and after the passage of this Act, all bonds given by the plaintiff in any action of replevin hereafter instituted in any of the courts of law shall be given to the State of Maryland, and such bonds shall be for the use of any person interested in any way in the property taken under the suit of replevin; and any person having any interest in or right to such property may upon a breach of the condition of such bond maintain an action on such bond in the name of the State for the use of such persons so having an interest in or right to such property.

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

Approved, March 9, 1904.

ASSIGNMENTS OF MORTGAGES.

CHAPTER 78.

AN ACT to make Valid Mortgages and Assignments of Mortgages Defectively Sworn to and Recorded since the Fifth day of March, in the year nineteen hundred and two.

Section 1.—Be it enacted by the General Assembly of Maryland, That all mortgages and assignments of mortgages defectively sworn to and recorded in this State since the fifth day of March, in the year nineteen hundred and two, before any officer authorized by the laws of this State to administer oaths or to take affidavits, shall be as valid to all intents and purposes as if said mortgages or assignments of mortgages had been sworn to in conformity with law.

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

Approved, March 15, 1904.

DESERTION OF WIFE AND CHILD.

CHAPTER 44.

AN ACT to amend Article 27 of the Code of Public General Laws, title "Crimes and Punishments," by repealing Section 47A, as enacted by Chapted 73 of the Acts of 1896, and re-enacting the same with amendments under the sub-title "Desertion of Wife or child," and by adding thereto an additional section, to follow immediately after Section 47A, and to be known as "Section 47B."

Section 1—Be it enacted by the General Assembly of Maryland, That Article 27 of the Code of Public General Laws, title "Crimes and Punishments" be and the same is hereby amended by repealing Section 47A, as enacted by Chapter 73, of the Acts of 1896, and re-enacting the same with amendments, under the sub-title "Desertion of Wife or Child," and by adding thereto an additional section, to follow immediately after Section 47A, and to be known as "Sec. 47B."

Sec. 47A—Any person who shall without just cause desert or wilfully neglect to provide for the support and maintenance of his wife or minor child, shall be deemed guilty of a misdemeanor, and upon conviction in any court of the State having criminal jurisdiction, shall be punished by a fine not exceeding one hundred dollars, or imprisonment in the Maryland House of Correction, for not more than one year, or both, in the discretion of the court. The fine may be directed by the court to be paid in whole or in part to the wife. Provided, that before the trial with the consent of the defendant, or after conviction, instead of imposing the punishment hereinbefore provided, or in addition thereto, the court in its discretion, having regard to the circumstances and financial ability of the defendant, shall have the power to pass an order which shall be subject to change by it from time to time, as the circumstances may require, directing the defendant to pay a certain sum weekly for the space of one year to the wife, and to release the defendant from custody on probation for the space of one year upon his entering into a recognizance in such sum as the court shall direct, with or without sureties. The condition of the recognizance shall be such that if the defendant shall make his personal appearance at the court whenever ordered so to do within the year, and shall further comply with the terms of the order, or of any subsequent modification thereof, then the recognizance shall be void, otherwise of full force and effect. If the court be satisfied by information and due proof under oath, at any time during the year, that the defendant has violated the terms of such order, it may forthwith proceed to the trial of the defendant under the original indictment, or sentence him under the original conviction, as the case may be. In the case of forfeiture of a recognizance and enforcement thereof by execution, the sum recovered may in the discretion of the court be paid in whole or in part to the wife.

Sec. 47B—If the defendant shall be arrested and brought before a Justice of the Peace, upon the charge of violating Section 47A of this Article, such justice shall hear the case, and if he be of the opinion that sufficient facts are proved to substantiate the charge, he shall commit or bail the defendant pending the action of the grand jury, as in other cases, or with the consent of the defendant, may in place of such commitment or bail, pass an order and take a recognizance as provided in Section 47A. If the defendant shall violate the condition of the recognizance, it may be forfeited, and the justice shall note the forfeiture on the recognizance and deliver it to the clerk of the court having original jurisdiction of the misdemeanor described in Section 47A. The said forfeited recognizance shall then become a record of said court, and shall have the same effect, and may be enforced in the same manner as if it had been taken and forfeited by the court. If the magistrate be satisfied by information and due proof under oath at any time during the year that the defendant has violated the terms of the order, he shall forthwith commit or bail the defendant for the action of the grand jury, as in other cases.

Approved, March 9, 1904.

JURISDICTION IN CHANCERY.

CHAPTER 25.

AN ACT to repeal and re-enact with amendments Section ninety-five of Article sixteen of the Code of Public General Laws, entitled 'Chancery," sub-title "Jurisdiction."

Section 1—Be it enacted by the General Assembly of Maryland, That Section ninety-five of Article sixteen of the Code of Public General Laws, entitled "Chancery," sub-title "Jurisdiction," be and the same is hereby repealed and re-enacted so as to read as follows:

95—If any person residing in this State shall desire to change his or her name, such person may file in the Circuit Court for the county of his or her residence, or in the Circuit Court of Baltimore city, or in the Circuit Court No. 2 of Baltimore city, if such person resides in the city of Baltimore, a petition in which shall be stated the change which such person desires shall be made in his or her name, and the reasons therefor; and thereupon the said court, upon being satisfied in such manner as it shall by its rules prescribe, that the prayer of the said petitioner shall be granted, shall order and decree that the name of such person be changed as prayed in said petition; and upon the passage of such decree, the true and legal name of such person shall be that determined by the said decree; and a copy of the said decree, under the seal of said court, shall be sufficient and legal evidence of the facts therein stated. A petition provided for in this section may be filed on behalf of any infant residing in this State, by the father or mother of such infant, or in the case of the death of the father and mother of said infant, by the guardian of such infant; the costs of the proceedings provided for in this section shall be regulated by the said court and shall be paid by the petitioner.

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

Approved March 9, 1904.

STALLION LIEN DOCKET.

CHAPTER 54.

AN ACT to Repeal Section 3 of Chapter 419 of the Acts passed at the January Session, 1892, of the General Assembly of Maryland, and to Re-enact the same with an Amendment; and to add two new Sections to the said Act, to be known as Section 3A and Section 3B.

Section 1—Be it enacted by the General Assembly of Maryland, That Section 3 of Chapter 419 of the Acts of the General Assembly of Maryland, passed at the January Session, 1892, be and the same is hereby repealed and re-enacted, and that two additional sections be added to said Act, said Section 3, as amended, and said Sections 3A and 3B to read as follows:

Sec. 3—And be it enacted, 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 resulting from such service, for the amount agreed upon between the owner of the mare and the owner of the stallion at the time of the service, or in the event of no such agreement, then in such an amount as is specified for the service of such stallion in the statement hereinbefore required to be filed with the clerks of courts of the respective counties or of Baltimore city.

Sec. 3A—And be it enacted, That any person entitled to a lien under this Act, shall file a claim or statement of the same in the office of the clerk of the court for the county, where the owner of the mare resides, or if such owner is a resident of Baltimore city, then said lien shall be filed in the office of the clerk of the Superior Court for Baltimore city; provided, that the statement of said lien shall be filed within twelve months from the date of the service of the mare for which the lien is claimed, and that the lien shall terminate at the end of six months from the date of the filing of the same; and for the proper recording of said liens the clerks of the Circuit Courts for the several counties, and the Clerk of the Superior Court of Baltimore city shall keep a docket, to be called the "Stallion Lien Docket," in which shall be recorded all liens filed in their respective counties or city.

Sec. 3B—And be it enacted, That the proceedings to recover the amount of any lien filed under this Act, shall be by the writ of "scire facias," and where the amount of the lien is less than one hundred dollars, such writ of "scire facias" may be issued by any justice of the peace of the county or city where the lien is recorded, upon a certified copy thereof, and shall be returnable before the justice of the peace issuing the same.

Sec. 2—Be it enacted, That this Act shall take effect from the date of its passage.

Approved, March 9, 1904.

PAYMENT OF WAGES.

CHAPTER 93.

AN ACT to repeal Chapter 589 of the Acts of 1902, entitled "An Act to regulate the payment of wages by Corporations or Associations engaged in Mining or Quarrying, Manufacturing, operating Steam or Electric Railroads, Street Railways, Telegraph, Telephone and Express Companies doing business in Maryland," and to re-enact the same as follows:

Section 1—Be it enacted by the General Assembly of Maryland, That from and after a period of one month subsequent to the first day of April, in the year nineteen hundred and four, every association or corporation doing business in the State of Maryland employing wage-workers, whether skilled or ordinary laborers, engaged in manual or clerical work, in the business of mining, manufacturing, operating a steam or electric railroad, street railway, telegraph, telephone or express company, shall make payment in lawful money of the United States, semi-monthly to said employees, laborers and wage-workers, or to their authorized agents, at their respective places of employment, at intervals of not more than sixteen days and not more than fourteen days.

Sec. 2—And be it further enacted, That in case of any said corporations or associations mentioned in Section 1 of this Act, and doing business as aforesaid, or any of their officers shall refuse to make payment at the times set forth in Section 1 of this Act to their wage-workers, laborers or other employees the wages due them, or any of them, said association, corporation or officers so refusing shall be guilty of a misdemeanor, and be liable to indictment therefor, and upon conviction, shall be fined a sum not exceeding two hundred dollars for each offense.

Sec. 3—And be it further enacted, That this Act shall take effect from the date of its passage.

Approved March 17, 1904.

TITLE TO REAL ESTATE.

CHAPTER 151.

AN ACT to Repeal Section 7 of Article 45, of the Code of Public General Laws, title "Husband and Wife" and to Re-enact the same with Amendments.

Section 1—Be it enacted by the General Assembly of Maryland, That Section 7 of Article 45 of the Code of Public General Laws, title "Husband and Wife," be and the same is hereby repealed and re-enacted with amendments, so as to read as follows:

Every husband shall acquire, by virtue of his marriage, an estate for his life in one-third of the lands held or owned by his wife at any time during the marriage, whether by legal or equitable title, or whether held by her at the time of her death or not, but such estate shall not operate to the prejudice of any claim for the purchase money of such lands or other lien on the same; nor shall any conveyance of such lands by the wife alone bar such estate of the husband therein, and this estate shall be known as the husband's dower, and Statute and Common Law of this State as to the wife's dower, shall be construed to be applicable to this estate unless such construction would be unreasonable.

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

Approved, March 25, 1904.

POOL SELLERS-LICENSE.

CHAPTER 98.

AN ACT to Repeal and Re-enact with Amendments Section 18 of Article 42 of the Code of Public General Laws, title "Habeas Corpus," sub-title "Procedure in relation to Minors," as re-enacted by Act of 1900, Chapter 306.

Section 1—Be it enacted by the General Assembly of Maryland, That Section 18 of Article 42 of the Code of Public General Laws, title "Habeas Corpus," sub-title "Procedure in Relation to Minors," as re-enacted by Act of 1900, Chapter 306, is hereby repealed and re-enacted so as to read as follows:

18—A minor may be committed to a juvenile institution for care and guardianship—

1.—If the minor is without any proper place of abode or proper guardianship or is neglected or ill-treated by his or her parent, guardian or other custodian, or such parent, guardian or other custodian, by reason of poverty, is unable to support and care for such minor.

2—If it clearly appears that such minor is vicious or depraved or suffering through the neglect, bad habits or vicious conduct of his or her parent, guardian or other custodian, and his or her parent, guardian or other custodian is unable or unwilling to exercise proper control over him or her and the welfare of such minor, as well as the peace and good order of society require such commitment. A court of record, a judge thereof, or a justice of the peace may commit such minor to a juvenile institution, incorporated under the laws of this State, to be kept until twenty-one years in the case of both males and females, unless sooner discharged by such institution, or by due course of law, and such court or officer may require such minor to be brought before him or it upon a warrant, or commit without a previous warrant if such minor can be brought or is present without it, or is of such tender age, or the circumstances are otherwise such that a warrant should be dispensed with; and all courts or offices executing any process or acting under the provisions of this section are vested with all the incidental powers necessary to the effectual execution of the powers herein enumerated.

Approved, March 17, 1904.

POOL SELLING AND GAMING.

CHAPTER 585.

AN ACT to repeal Section 124E of Article 27 of the Code of Public General Laws title "Crimes and Punishments," sub-title "Gaming" as enacted by Chapter 572 of the Acts of 1902 and re-enact the same with amendments.

Section 1—Be it enacted by the General Assembly of Maryland that Section 124E of Article 27 of the Code of Public General Laws title "Crimes and Punishment" sub-title "Gaming" as said Section was enacted by Chapter 572 of the Acts of 1902, be and the same is hereby repealed and re-enacted with amendments so as to read as follows.

124E—In such license the name of the grounds, track or park shall be stated and the number of days in which, and the months thereof, during which betting, pool selling on bookmaking shall be permitted, shall be specified and the said Court shall not grant in the aggregate licenses for more than thirty days in any year, nor more than fifteen days in any one month in any County in this State nor for any days whatsoever during the month of December, January, February and March provided that the Circuit Court of Baltimore County may grant license for not exceeding fifty days in any one year and the Circuit Court of Harford County may grant license for not exceeding forty days in any one year for every license so granted there shall be paid the clerks of the Court granting such license the sum of five dollars for every day for which such license shall be granted, the said sum to go to the Board of County School Commissioners in which such Court may be located for the use of the Public School thereof provided, nowever, that the provisions of this Act shall not apply to Cecil, Washington, or Anne Arundel Counties in this State.

Sec. 2—And be it enacted this Act shall take effect from the date of its passage, but nothing herein contained shall apply to or effect any criminal or civil proceedings at the date aforesaid.

Approved April 12, 1904.

TRADE IN NARCOTIC DRUGS.

CHAPTER 607.

AN ACT to provide against the evils resulting from the traffic in certain narcotic drugs, and to regulate the sale thereof.

Section 1—Be it enacted by the General Assembly of Maryland, That it shall be unlawful for any person, firm or corporation to sell, furnish or give away cocaine, salts of cocaine or preparations containing any cocaine or salts of cocaine, or any morphine, eucaine, salts of eucaine, or preparations containing any eucaine or salts of eucaine, except upon the original written order or prescription of a lawfully authorized practitioner of medicine, dentistry or veterinary medicine, which order or prescription shall be dated and shall contain the name of the person for whom prescribed, or if ordered by a practitioner of veterinary medicine, shall state the kind of animal for which ordered, and shall be signed by the person giving the prescription or order. Such written order or prescription shall be permanently retained on file by the person, firm or corporation who shall compound or dispense the articles ordered or prescribed, and it shall not be recompounded or dispensed a second time, except upon the written order of the original prescriber; provided, however, that the above provisions shall not apply to preparations containing not more than one-half grain of morphine, or not more than one-sixteenth grain of cocaine, in one fluid ounce, or if a solid preparation, in one avoirdupois ounce; provided, also, that the above provisions shall not apply to preparations recommended in good faith for diarrhoea and cholera, each bottle or package of which is accompanied by specific directions for use, and a caution against habitual use, nor to liniments

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