FRESH WATER FISH LAW.

CHAPTER 358.

AN ACT to add certain new Sections to Article 39 of the Code of Public General Laws, title "Fish and Fisheries," sub-title "Trout and other Fish," to follow Section 78 of said Article, and to be designated Sections 78 A, 78 B, 78 C, 78 D, 78 E, 78 F, 78 G, 78 H.

Whereas, It is desirable to secure greater uniformity in the laws of this State, governing the protection and increase of the food fishes in all the waters of this State, above the point where the tide ebbs and flows, in order to a more equitable and effectual enforcement thereof.

Section 1—Be it enacted by the General Assembly of Maryland, That certain new sections be and the same are hereby added to Article 39 of the Code of Public General Laws, title "Fish and Fisheries," sub-title "Trout and other Fish," to follow Section 78 of said Article, to be designated Sections 78 A, 78 B, 78 C, 78D, 78 E, 78 F, 78 G, and 78 H, and to read respectively as follows:

78 A—No person shall catch or in any maner take or kill in any waters of this State, above a point where the tide ebbs and flows, any black bass, pickerel or pike perch, otherwise known as wall-eyed pike, and California salmon, between the first day of April and the fifteenth day of June, both inclusive in each and every year, in any manner whatsoever, nor at any time save only with rod, line and single hook, baited with natural bait, or tied with the artificial fly, or with a spoon or spinner, each equipped with a single hook, or of any size less than eight inches, measuring in the case of each fish from the tip of the nose to the end of the caudal fin or tail, under a penalty of five dollars ($5.00) for each fish so unlawfully caught, taken or killed.

78 B—No person shall catch or in any manner take or kill, in said waters, at any time, any white perch of any size less than seven inches in length, or any yellow perch of any size less than eight inches in length, or any rock fish or striped bass, or any taylor of any size less than ten inches in length, or any pike of any size less than fourteen inches in length, or any rock, otherwise known as striped bass, or any taylor of any size of less than ten inches in length, measuring, in the case of each fish, from the tip of the nose to the end of the caudal fin or tail.

78 C—No person shall have in possession, expose for sale, sell or buy any of the aforesaid fish, alive or dead, in the city of Baltimore, or in any of the counties of this State, during the aforesaid respective closed season, or dates, except white perch, between which it is made unlawful, by the preceding sections of this Act, to catch or kill the same, or at any time of any size less than therein provided, whether such fish so had in possession, exposed for sale, sold or bought, shall have been caught, trapped or in any other manner taken or killed in that county, or in any other county of this State, or in any other State, Territory or country under a penalty for having in possession, exposing for sale, selling or buying, of each such fish, similar in amount respectively to that hereinbefore made and provided for the illegal catching of the same; but nothing in this Section contained shall be so construed as to prevent any of the Fish Commissioners of this State, in pursuance of their capacity as fish culturists, or any other person or corporation which shall first obtain a certificate in writing from the State Game Warden to the effect that such persons or corporations is engaged in the scientific culture or propagation of fish from having in his or its possession, alive, at any time, any fish for the purpose of said scientifice culture or propogation only, and to obtain such certificate said persons or corporation must file with said State Game Warden an application and affidavit to the truth and bona fides thereof, made by the person or officer of the corporation requesting the same, and taken before any officer competent to administer an oath in this State, and said affidavit and application shall be retained and kept on file by said State Game Warden, but the possession of any of the aforesaid fish during any of the aforesaid closed seasons or dates, between which it is hereinbefore made unlawful to catch or trap the same, or any size less than the lawful size, shall in every instance be prima facie evidence of unlawful purpose or streams in the State of Maryland.

78 D—No person shall, in this State, in any manner, or at any time, so obstruct any stream, where the tide ebbs and flows in which trout or other fish have been placed by the State or National government so that said fish shall not have free access up and down such stream, under a penalty of not less than ten dollars ($10.00) nor more than twenty-five dollars ($25.00) for every such offence.

78 E—Every owner of a dam or dams upon any of the said waters of this State is hereby required to make and keep in repair, or to cause to be made and kept in repair, any placed upon said dam or dams at least one fish ladder of such a character as to enable fish to have a free course up and down said waters at all times, under a penalty of not less than twenty-five dollars ($25.00) nor more than one hundred dollars ($100.00) for each and every offense.

78 F—No person shall place, throw or make use of, in any of said waters, except for bona fide engineering or mining purposes, any dynamite or other explosive substance, or any lime, poison, acid, saw dust, shavings, or any other substance whatsoever deleterious to or destructive of fish life, under a penalty of not less than one hundred dollars $(100.00), nor more than three hundred ($300.00), or imprisonment in the penitentiary for not less than one year nor more than three years, or both fined and imprisoned in the discretion of the Court, provided, however, that nothing in this section shall apply to saw mills now in operation until October 1, 1903, unless said sawmill or mills shall in the mean time change its or their location and further provided that any saw mill or mills moving from its or their present location shall be considered a new mill or mills and shall be subject to the provisions of this Section.

78 G—No person shall, at any time, empty any seine or net of any description whatsoever upon the beach, shore or land bordering upon any of the waters of this State, above tide, and no person shall at any time so empty any such seine or net as to leave to perish upon the said beach, shore or land, or upon any boat or float any white perch of any size less than seven inches in length, or any yellow perch of any size less than eight inches in length, or any rock fish or striped bass, or any taylor of any size less than ten inches in length, or any pike of any size less than fourteen inches in length, measuring in the case of each one of the said fish from the tip of the nose to the end of the caudal fin or tail; but every person so using any seine or net of any description shall immediately and carefully cull over and return alive, if possible, to water of not less than twelve inches deep, all of the aforesaid fish therein captured of any size less than the aforesaid respective lengths, under a penalty of not less than twenty-five dollars ($25.00), nor more than one hundred dollars ($100.00), for each and every offense; provided, however, that nothing in this section contained shall prevent any one from capturing and destroying, in any manner save only in the way prohibited by Section 78 F, of this Act, any German carp, or any leather carp, or any carp of any discription whatsoever of any size.

78H—All justices of the peace of this State, in and for the city or county wherein the offense shall be committed, shall have jurisdiction to hear and determine all prosecutions for the purpose of enforcing fines and penalties collectible under the provisions of this Act, and all such fines and penalties are hereby expressly made subject to the provisions of Section 8 of Chapter 293 of the Acts of the General Assembly of Maryland, passed at the sessions 1896; and in all cases where such prosecutions are begun or instituted by any person other than the State game warden, or one of the deputy game wardens of this State, and shall result in the collection of a fine or fines, then one-half of such fine or fines, after the proper Court costs, or costs of the magistrate in convicting the offender shall have been paid, shall be paid to the informer, and the other half to the school fund of the city or county in which said prosecution is conducted. It shall be unlawful for any person or persons in any manner to throw or cause to be thrown any slab of timber or other substance across, or into any stream under a penalty of two dollars for each fish so caught or killed.

Section 2—That all Acts or parts of Acts, and all Sections and parts of Sections of the Code, both of General and Local Laws, and all amendments of and additions and supplements thereto, now in force in the State of Maryland, inconsistent with the provisions of this Act, with the exception only of Chapter 427 of the Acts of the General Assembly, passed at the session of 1896, be and the same are hereby repealed, provided that nothing in this Act shall apply to Frederick, Baltimore, Howard, Cecil, Kent, Queen Anne's, Harford, St. Mary's, Wicomico, Charles, Talbot, Worcester, Calvert or Somerset counties.

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

Approved April 8, 1902.

JOHN WALTER SMITH,
Governor.

JOHN HUBNER,
President of the Senate.

NOBLE L. MITCHELL,
Speaker of the House of Delegates.

Office of the Secretary of the Senate.

I hereby certify that the aforegoing is a true copy of an Act of the General Assembly of Maryland, passed at the January session, 1902.

ALFRED RITTER,
Secretary of the Senate.

SALE OF POISONOUS DRUGS.

CHAPTER 586.

AN ACT Regulating the sale of Poison Drugs in the State of Maryland.

Section 1—Be it enacted by the General Assembly of Maryland, That it shall be unlawful for any person, from and after the passage of this Act, to retail any of the following poisons; Arsenic and its preparations, corrosive sublimate, white precipitate, red precipitate, biniodide of mercury, cyanide of potassium, hydrocyanic acid, strychnine and all other poisonous vegetable, alkaloids and their salts, essential oil of bitter almonds, opium and its preparations, aconite, belladonna, colchicum, conium nux vomica, henbane, savine, ergot, cotton-root, cantharides, creosote, digitalis and their pharmaceutical preparations, croton oil, choloroform, chloral hydrate, sulphate of zinc, mineral acids, carbolic acid and oxalic acid, without distinctly labeling the box, vessel or paper in which the said poison is contained, with the name of the article, the word "Poison," and the name and the place of business of the seller.

Section 2—Nor shall it be lawful for any registered pharmacist, or other persons, to sell any of the poisons above enumerated without causing an entry to be made in a book kept for that purpose, stating the date of sale, the name and address of the purchaser, the name of the poison sold, the purpose for which it is represented by the purchaser to be required, and the name of the dispenser, such a book to be always open for inspection by the proper authorities, and to be preserved for at least five years. The provisions of this Section shall not apply to the dispensing of poisons in not unusual quantities or doses, upon the prescription of practioners of medicine. Any violation of the provisions of these Sections shall make the offender liable to a fine of not less than five dollars, and not more than one hundred dollars.

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

Approved April 11, 1902.

JOHN WALTER SMITH,
Governor.

JOHN HUBNER,
President of the Senate.

NOBLE L. MITCHELL,
Speaker of the House of Delegates.

Office of the Chief Clerk House of Delegates:

I hereby certify that the aforegoing is a true copy of an Act of the General Assembly of Maryland, passed at the January Session, 1902.

B. L. SMITH,
Chief Clerk of the House of Delegates.

COMPETENCY OF WITNESSES.

CHAPTER 495.

AN ACT to Repeal and Re-enact with Amendments Section two of Article thirty-five, of the Code of Public General Laws, title "Evidence," Sub-title "Competency of Witnesses."

Section 1—Be it enacted by the General Assembly of Maryland, That Section two of Article thirty-five of the Code of Public General Laws, title "Evidence," Sub-title, "Competency of Witnesses" be and the same is hereby repealed and re-enacted so as to read as follows:

Section 2—In actions or proceedings by or against executors or administrators in which judgments or decrees may be rendered for or against them, and in proceedings by or against persons incompetent to testify by reason of mental disability, no party to the cause shall be allowed to testify as to any transaction had with or statement made by the testator, intestate or party so incompetent to testify either personally or through an agent since dead, lunatic or insane, unless called to testify thereto by the opposite party, or unless the testimony of such testator, intestate or party incompetent to testify shall have been already given in evidence concerning the same trasaction or statement, in the same cause, on his or her own behalf or on behalf of his or her representative in interest, nor shall it be competent in any case for any party to the cause who has been examined therein as a witness to corroborate his testimony when impeached by proof of his own declaration or statement made to third persons out of the presence and hearing of the adverse party.

Approved April 8, 1902.

JOHN WALTER SMITH,
Governor.

JOHN HUBNER,
President of the Senate.

NOBLE L. MITCHELL,
Speaker of the House of Delegates.

Office of the Chief Clerk House of Delegates:

I hereby certify that the aforegoing is a true copy of an Act of the General Assembly of Maryland, passed at the January Session, 1902.

B. L. SMITH,
Chief Clerk of the House of Delegates.

MANURES AND FERTILIZERS.

CHAPTER 382.

AN ACT to repeal Section 6 of Article 61 of the Code of Public General Laws, entitled "Manures and Fertilizers" as amended by Chapter 397 of the Acts of 1894 and to re-enact the same with amendments.

Section 1—Be is enacted by the General Assembly of Maryland, That Section 6 of Article 61 of the Code of Public General Laws, as amended and re-enacted by Section 6 of Chapter 397 of the Acts of 1894 be and the same is hereby repealed and re-enacted so as to read as follows:

Section 6—That all samples of fertilizers for analysis at the Maryland Agricultural College shall be taken from unbroken packages or bags that have not been damaged or injured in transit or by exposure, and when in the possession of the purchaser or purchasers within thirty (30) days after coming into their possession it shall be lawful for any such purchaser or purchasers of any such manures or fertilizers, provided that he be not a manufacturer, manipulator or agent of either, to take from any such unbroken packages or bags a sample, not exceeding two pounds; placing the same in bottle or bottles, jar or jars, which shall then be corked tightly and forwarded to the Maryland Agricultural College for analysis; that it shall not be lawful for the said Agricultural College or its chemists to previously demand of any such purchaser or purchasers so sending said sample or samples for analysis, to give any advices, information or statement to the said college or its chemists as to any analysis found on the original unbroken packages or bags from which said sample or samples were taken, or the name or names of any individual, representative, agent or corporation or firm from which said manures or fertilizers were purchased; and it shall be the duty of the Agricultural College to have its proper and authorized chemist to at once make a full and complete analysis of the manures or fertilizers contained in such bottles, jar or jars and within thirty days thereafter return to such person or persons from whom the sample or samples were received, a full and complete analysis of the said manures or fertilizers sent for analysis, and it shall be unlawful for any individual or any representative or agent of any corporation or firm, or any corporation or firm itself, to have either directly or indirectly, communication with the Agricultural College or its chemist, agent or representative or the sender of any sample with regard to the analysis of any manures or fertilizers sent to the Agricultural College by the purchaser or purchasers thereof for analysis under the provisions of this section, nor shall the Agricultural College nor its chemists nor its agent or agents or the sender of any sample furnish any information or communicate with any manufacturer of fertilizers about any such samples submitted for analysis until after a report of said analysis shall have been duly furnished to the applicant for such analysis under this section; Provided that all samples sent to the Maryland Agricultural College by any purchaser or purchasers, shall be drawn from at least five per cent. of the total number of bags purchased, these samples to be thoroughly mixed in a clean, dry place, and a suitable sample shall be taken from said mixture and placed in a suitable vessel or vessels carefully closed, with an identifying label, and the same then taken or sent by safe carriage of the said college for analysis; every sample for analysis by the State Chemist as provided for by this Section, shall be fully described in forms to be furnished by said chemist free of charge, and description giving a full and complete statement of the time and place of sampling, of all marks on the bags or packages thereof and all of the facts relating to the same; said description and statements shall be made under affidavit before a Justice of the Peace or Notary Public, and the same shall be retained as confidential by said justice or notary until required by this Act to be sent to the State chemist; provided further, that the purchaser or purchasers sending such sample or samples of fertilizer shall withhold said description or descriptions of said sample or samples until he has received the report of the said State chemist of the analysis of the same. Any person or persons receiving any analysis from the State chemist under this Act, shall immediately thereafter forward to him the statement required by this Act to be made at the time of taking the sample or samples; and any person or persons violating the provisions of this Section shall be punished by a fine of one hundred dollars; and any manufacturer, agent or representative who shall be convicted of making false and fradulent representations as to the quality and constituent elements of any fertilizers by the printed analysis upon any such bag or package shall be fined one hundred dollars ($100) for the first offense and two hundred dollars ($200) for every subsequent offense thereafter; and the report of the analysis of any such sample of fertilizer sent to the Agricultural College for examination under this Act shall be prima facie evidence as to the quality of the lot of fertilizer from which said sample was taken.

Section 2—And be it further 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.

Approved April 10, 1902.

JOHN WALTER SMITH,
Governor.

JOHN HUBNER,
President of the Senate.

NOBLE L. MITCHELL,
Speaker of the House of Delegates.

Office of the Chief Clerk House of Delegates:

I hereby certify that the aforegoing is a true copy of an Act of the General Assembly of Maryland, passed at the January Session, 1902.

B. L. SMITH,
Chief Clerk of the House of Delegates.

DESECRATION OF THE FLAG.

CHAPTER 498.

AN ACT to Amend Article 27 of the Code of Public General Laws of Maryland, title "Crimes and Punishments," by the addition of another Section to follow immediately after Section 47 B, and to be known and Designated as Section 47 C, and to be under the sub-title "Desecration of the National Flag," and to provide a penalty for the violation thereof.

Section 1—Be it enacted by the General Assembly of Maryland, That Article 27 of the Code of Public General Laws of Maryland, title "Crimes and Punishments," be and the same is hereby amended by the addition of a new Section, to follow immediately after Section 47 B, and to be known and designated as Section 47 C, and to be under the subtitle "Desecration of the National Flag," to read as follows:

47 C—The National Flag or the Coat of Arms of the United States, or any imitation or representation thereof, shall not be attached to or imprinted or represented upon any goods, wares or merchandise, or any advertisement of the same; and no goods, wares or merchandise, or any advertisement of the same, shall be attached to the National Flag or the Coat of Arms of the United States, and no such advertisement shall be imprinted thereon. Any person, firm or corporation violating the terms of this Section shall be deemed guilty of a misdemeanor, and upon conviction thereof before a Court of competent jurisdiction of this State shall be fined not more than one hundred dollars or imprisoned for more than twelve months, or both; and in the event that the violation shall be by a corporation the penalty shall be inflicted upon the president or other chief officer thereof.

Section 2—And be it further enacted, That this Act shall take effect from April 30, 1902.

Approved April 8, 1902.

JOHN WALTER SMITH,
Governor.

JOHN HUBNER,
President of the Senate.

NOBLE L. MITCHELL,
Speaker of the House of Delegates.

Office of the Chief Clerk House of Delegates:

I hereby certify that the aforegoing is a true copy of an Act of the General Assembly of Maryland, passed at the January Session, 1902.

B. L. SMITH,
Chief Clerk of the House of Delegates.

COMPULSORY EDUCATION.

CHAPTER 269.

N. B.—This law applies only to Baltimore city and Allegany County, and not being a general law was not selected by the Governor and the Attorney-General for publication. It is given here as a matter of general interest to the readers of this paper. As introduced the bill applied to the entire State, but by exemption all counties were excluded except Allegany and the city of Baltimore.

AN ACT to amend Article 77 of the Code of Public General Laws, Title "Public Education," by adding fifteen sections, under the new Sub-Title "School Attending" to follow Section 123, and to be numbered as Sections 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137 and 138, respectively.

Section 1—Be it enacted by the General Assembly of Maryland, That the following Sections be and they are hereby added to Article 77, of the Code of Public General Laws, title "Public Education," under the new sub-title "School Attendance," to follow Section 123, and to be numbered and designated as 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137 and 138, respectively.

124—Every child between eight and twelve years of age shall attend some day school regularly as defined in Section 131 of this sub-title during the entire period of each year the public day schools in the city or county in which such child resides are in session, unless it can be shown the child is elsewhere receiving regularly through instructions during said period in the studies usually taught in the said public schools to children of the same age; provided, that the superintendent or principal of any school, or person or persons duly authorized by such superintendent or principal, may excuse cases of necessary absence among its enrolled pupils, and provided further, that the provisions of this Section shall not apply to a child whose mental or physical condition is such as to render its instruction, as above described, inexpedient or impracticable, every person having under his control a child between eight and twelve years of age shall cause such child to attend school or receive instruction as required by this Section, children over twelve years of age and under the age of sixteen years and every person having under his control such a child, shall be subject to the requirements of this Section unless such children are regularly and lawfully employed to labor at home or elsewhere.

125—Any person who has a child under his control and who fails to comply with any of the provisions of the preceding Section shall be deemed guilty of a misdemeanor and be fined not exceeding five dollars for each offence.

126—Any person who induces or attempts to induce any child to absent himself unlawfully from school, or employs or harbors while school is in session any child absent unlawfully from school shall be deemed guilty of a misdemeanor, and be fined not more than fifty dollars.

127—The Board of School Commissioners of Baltimore city and the several Boards of County School Commissioners shall appoint, and may remove at pleasure, persons to be known as "Attendance Officers." The number to be appointed for the city of Baltimore shall not exceed twelve, and the number for any county shall not exceed three, their compansation shall be fixed and paid by the County Commissioners of the respective counties, or the Mayor or City Council of Baltimore city, as the case may be.

128—It shall be the duty of each attendance officer, and he shall have full power, within the city or county for which he may be appointed to arrest without warrant any child between eight and sixteen years of age found away fram his home and who is a truant from school, or who fails to attend school in accordance with the provisions of this sub-title. He shall forthwith deliver a child so arrested either to the custody of a person in parential relation to the child or of the teacher from whose school such child is then a truant; but if the child be a habitual or incorrigible truant, he shall bring him before a justice of the peace for commitment by him to a "Parental School," as provided for in the next section, or to some other institution to which disorderly children may be committed. The attendance officer shall promptly report every such arrest, and the disposition made by him of the child so arrested, to the School Commissioners of the said city or county, respectively, or to such person or persons as they may direct.

129—The Mayor and City Council of Baltimore, and the several Boards of County Commissioners may establish schools to be known as parental schools for children between eight and sixteen years of age, who are habitually truants from school or from instruction, they may also provide for the confinement, maintenance and instruction of such children in such schools, for such period and under such rules and regulations as they may prescribe, not exceeding the remainder of the school year. Justices of the peace may commit such children to such parental schools, but no person convicted of any crime or of any offence other than truancy shall be committed thereto.

130—It shall be the duty of the Police Commissioners of Baltimore city, at the same time that the census of legal voters in the said city is taken under their direction as provided by Section 17 of Article 33 of the Code of Public General Laws, also to cause to be made by the members of the force under their control, annually, a separate record of the full name, age, color and sex of every child between six and sixteen years of age in each precinct of the said city, and the place where and the year and month when such children last attended school together with the name and address of the parents, guardians or persons in parental relation, and of employers of such children which record shall be furnished by said Police Commissioners to the Board of School Commissioners of Baltimore city. Whosoever has under his control a child between said ages and withholds information in his possession from any officer demanding it, relating to the items aforesaid, or makes any false statement in regard to the same, shall be deemed guilty of a misdemeanor, and be fined not more than twenty dollars.

131—It shall be the duty of the principal or head teacher of every public or private school in this State to report immediately to the School Commissioners of the county where such school is located, or of Baltimore city, if located therein, or to an attendance officer or other official designated by such commissioners, the names of all children enrolled in his or her school who have been absent or irregular in attendance three days, or their equivalent, without lawful excuse without a period of eight consecutive weeks.

132—No proprietor or owner of any mill or factory in this State, other than establishments for manufacturing canned goods, or manager, agent, foreman or other person in charge thereof, shall employ or retain in employment in any such mill or factory any person or persons under sixteen years of age, unless he procures at the time of such employment or retention in employment, and keeps on file and accessible to the attendance officers of the city or county where such minor is employed, a certificate of the principal or head teacher of the school which such child last attended, stating that such child is more than twelve years of age, and a like certificate of the parent or guardian, or other person having control of such child; but the first named certificate need not be procured if such child has not attended school in this State. He shall require such certificate, shall keep them in his place of business during the time the child is in his employment, and shall show the same during his business hours to any attendance officer who may demand to see them or either of them, and for each failure to comply with any of the provisions of this Section he shall be guilty of a misdemeanor and shall be fined not exceeding one hundred dollars. Whoever continues to employ any such child under sixteen years of age, in violation of this Section, after being notified of such violation by an attendance officer, shall for every day thereafter that such unlawful employment continues, be fined not less than five nor more than twenty dollars in addition to other penalties prescribed by this Section for such offences. A failure to produce on demand to an attendance officer any certificate required by this Section, shall be prima facie evidence that the child, who is or should have been mentioned in the said certificate, is thus unlawfully employed.

133—It shall be the duty of every parent, guardian or other person having control of a child under sixteen years of age, and of every principal or head teacher of said school where such child last attended, to furnish every employer of such child the certificates required by the preceding Section. Such certificate if in substantial conformity with the requirements of that Section, shall be prima facie evidence of the facts required to be certified to as therein provided.

134—Any parent or guardian or other person having control of a child or principal or head teacher who shall make any wilfully false statement respecting any of the facts required to be certified to as provided in Section 132 and 133 of this sub-title, shall be deemed guilty of a misdemeanor, and shall be fined not more than fifty dollars, or to be imprisoned not more than thirty days, or suffer both fine and imprisonment, in the discretion of the Court.

135—No person shall employ any minor over twelve and less than sixteen years of age, and no parent, guardian or other person having control of a child, shall permit to be employed or retained in employment any such minor under his control, if the said minor cannot read at sight and write legibly simple sentences in the English language while a public evening school is maintained in the city or election district or precinct in which such minor resides, unless such a minor is a regular attendant at an evening or other school; provided that upon presentation by such minor of a certificate signed by a regular practicing physician, and satisfactory to such officer or officers as the School Commissioner for the county or city may designate showing that the physical condition of such minor would render such attendance, in addition to daily labor, prejudicial to health, said officer or officers so designated may issue a permit authorizing the employment of such minor for such period and upon such condition as said officer or officers so designated as aforesaid may determine; any person who employs or retains in employment a minor in violation of the provisions of this Section shall be deemed guilty of a misdemeanor and be fined for each offence not more than one hundred dollars, which fines shall be paid to the School Commissioners for use in supporting evening schools in such city or county. Any parent guardian or other person having control of a child who permits to be employed any minor under his control in violation of the provisions of this Section, shall be deemed guilty of a misdemeanor and be fined not more than twenty dollars, which fines shall be also paid to the School Commissioners for use in supporting evening schools in such city and county.

136—In any city or county where attendance offices may have been appointed, it shall be the duty of the School Commissioners to designate an attendance officer, who shall once or more frequently in every year examine into the situation of the children and employed in such mills and factories in said city or county, and to ascertain whether all the provisions of this sub-title are duly observed and report all violations thereof to the grand jury of the said city or county.

137—Attendance officers may visit all establishments where minors are employed in their several cities and counties and ascertain whether any minors are employed therein contrary to the provisions of this sub-title; attendance officers may require that the certificate provided for in this subtitle of minors employed in such establishments shall be produced for their inspection.

138—Any person violating any provision of this sub-title, where no special provision as to the penalty for such violation is made, shall be deemed guilty of a misdemeanor and be fined not exceeding fifty dollars for each offense. Provided, however, that the provisions of this Act shall be restricted to the City of Baltimore and Allegany County.

Section 2—And be it further enacted, That this Act shall take effect on September 1st, 1902.

Approved April 8, 1902.

JOHN WALTER SMITH,
Governor.

JOHN HUBNER,
President of Senate.

NOBLE L. MITCHELL,
Speaker of House of Delegates.

Office of the Clerk of the Court of Appeals:

State of Maryland, Sct.:

I, Thomas Parran, Clerk of the Court of Appeals of Maryland, do hereby certify, that the foregoing is a full and true copy of the Act of the General Assembly of Maryland of which it purports to be a copy, as taken from the Original Law belonging to and deposited in the office of the Clerk of the Court of Appeals aforesaid.

In testimony whereof, I have hereunto set my hand as Clerk and affixed the seal of the said Court of Appeals, this 18th day of April, A. D., 1902.

(Seal) THOMAS PARRAN,
Clerk of Court of Appeals of Maryland

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