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By: **Garrett County Delegation**

Introduced and read first time: February 4, 2004

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Garrett County - Obsolete Provisions - Repeal**

3 FOR the purpose of repealing from the Public Local Laws of Garrett County certain  
4 obsolete provisions of law pertaining to appliance installers, billiard rooms and  
5 bowling alleys, crimes and punishments, firearms, manufacturers and miners,  
6 pensions for teachers, the poor or insane, the sheriff, thistles, and wages; and  
7 generally relating to the repeal of obsolete provisions in the Public Local Laws of  
8 Garrett County.

9 BY repealing

10 The Public Local Laws of Garrett County  
11 Section 6-1 and the chapter "Chapter 6 Appliance Installers"; 11-1 through  
12 11-5, inclusive, and the chapter "Chapter 11 Billiard Rooms and Bowling  
13 Alleys; 26-1 and 26-2 and the chapter "Chapter 26 Crimes and  
14 Punishments"; 38-1 and 38-2 and the chapter "Chapter 38 Firearms";  
15 66-1 through 66-8 A. and B., inclusive; 66-10 through 66-14, inclusive,  
16 and the chapter "Chapter 66 Manufacturers and Miners"; 81-1 and the  
17 chapter "Chapter 81 Pensions"; 83-1 and 83-2 and the chapter "Chapter  
18 83 Poor or Insane"; 93-1 through 93-3, inclusive, and the chapter "Chapter  
19 93 Sheriff"; 107-1 through 107-3, inclusive, and the chapter "Chapter 107  
20 Thistles"; and 117-1 through 117-4, inclusive, and the chapter "Chapter  
21 117 Wages"  
22 Article 12 - Public Local Laws of Maryland  
23 (1985 Edition and October 2001 Supplement, as amended)

24 BY repealing

25 The Public Local Laws of Garrett County  
26 Section 66-8 C. and 66-9  
27 Article 12 - Public Local Laws of Maryland  
28 (1985 Edition and October 2001 Supplement, as amended)  
29 (As enacted by Chapter 220 of the Acts of the General Assembly of 2001)

30 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
31 MARYLAND, That the Laws of Maryland read as follows:

1 **Article 12 - Garrett County**2 [Chapter 6  
3 Appliance Installers]

4 [6-1.

5 The Board of County Commissioners of Garrett County may:

6 (1) License appliance installers; and

7 (2) Adopt rules and regulations to:

8 (I) Authorize licensed appliance installers to perform the plumbing  
9 work incidental to the installation of appliances;

10 (II) Provide license fees for appliance installers;

11 (III) Require an appliance installer to post a performance bond; and

12 (IV) Define "appliance" and "work incidental to the installation of  
13 appliances."]14 [Chapter 11  
15 Billiard Rooms and Bowling Alleys]

16 [11-1.

17 Every room or place in Garrett County used or occupied for the exercise or  
18 engaging in the games of pool, billiards or bowling to which the public has access and  
19 at which charges are made for the privilege of engaging therein shall be conducted at  
20 all times in an orderly, decent manner, and it shall be unlawful for the proprietor or  
21 person in charge of the same to permit any disorderly conduct, swearing or use of  
22 indecent or improper language therein by any person or persons on, in or about the  
23 premises where such games are conducted.]

24 [11-2.

25 All places as aforesaid used or occupied for the purpose of engaging in the games  
26 of pool, billiards or bowling to which the public shall have access and at which charges  
27 are made for the privilege of engaging therein shall be kept closed as a place of  
28 business from the hours of 11:00 p.m. to 6:00 a.m. of each night in the week, except  
29 Saturday, and closed on Sundays, and it shall be unlawful for any place or places  
30 aforesaid to be kept open during the hours above mentioned.]

31 [11-3.

32 It shall be unlawful for the proprietor or person in charge of any place or places  
33 as aforesaid, used or occupied for the purpose of engaging in the games of pool,  
34 billiards or bowling to which the public shall have access and at which charges are

1 made for the privilege of engaging therein, to permit, suffer or allow any person or  
2 persons under the age of 16 years to loiter in, on or about the premises where such  
3 games as above mentioned are conducted or engage in or participate in any manner in  
4 the conduct of any of such games or witness the participation therein of others who  
5 may lawfully be on said premises.]

6 [11-4.

7 Any person or persons, firm or corporation, whether the proprietor or the person  
8 in charge of any pool or billiard room or bowling alley in any place in Garrett County,  
9 who shall violate any of the provisions of §§ 11-1 through 11-3 of this chapter shall be  
10 deemed guilty of a misdemeanor and, upon conviction thereof, shall be subject to a  
11 fine of not less than five dollars (\$5.) nor more than twenty dollars (\$20.) one-half  
12 (1/2) of any fine so imposed and collected to be paid to the informer thereof.]

13 [11-5.

14 It shall not be lawful for any person keeping a drinking saloon, pool or billiard  
15 table or tables in Garrett County to allow any minor to frequent or lounge about his  
16 place of business or play pool or billiards therein except upon the written permission  
17 of the parents or guardians of such minor. Any person permitting a minor to so  
18 frequent or lounge about his place of business or to play pool or billiards therein  
19 except upon such written permission of the parents or guardians of such minor shall  
20 be deemed guilty of a misdemeanor and, upon conviction thereof before a District  
21 Court, shall be liable to a fine of not less than ten dollars (\$10.) nor more than fifty  
22 dollars (\$50.) for each and every offense, one-half (1/2) of said fine to go to the  
23 informer and the other one-half (1/2) to be paid to the School Commissioner of said  
24 county for the benefit of the public schools therein, and in default of the payment of  
25 such fine and costs, the offender shall be committed to the county jail for 30 days or  
26 until such fine and costs are paid, whichever shall first occur.]

27 [Chapter 26  
28 Crimes and Punishments]

29 [26-1.

30 A. Labor on public roads, buildings or grounds permitted. In addition to any  
31 sentence of confinement in the county jail of Garrett County which may be  
32 imposed in cases of conviction of assault, drunkenness, disorderly conduct,  
33 disturbing the public peace, vagrancy, petit larceny, or any misdemeanor  
34 where the punishment prescribed by law shall not exceed three (3) years'  
35 imprisonment in the penitentiary or house of correction by the Circuit Court  
36 for Garrett County or any District Court for Garrett County having criminal  
37 jurisdiction, said Court or District Court may, in the discretion of said Court  
38 or said District Court, also in said sentence direct that any prisoner over  
39 sixteen (16) years of age who may be convicted of any of the offenses  
40 enumerated above shall be subject to perform hard labor for and during the  
41 period of his imprisonment on the public roads, buildings and grounds of  
42 Garrett County or on the public streets of any incorporated town in said

1 county, provided that during the employment of such convict on the public  
2 streets of any incorporated town, the town authorities so employing such  
3 convict shall be charged with the expenses which may attend such  
4 employment.

5 B. Supervision required; type of labor performed. The hard labor provided in  
6 Subsection A of this section shall be performed, if within the corporate  
7 limits of any incorporated town, under the supervision and direction of the  
8 Town Commissioners and Bailiff of such town, and if on the public roads of  
9 Garrett County, then under the supervision and direction of the County  
10 Commissioners or the Road Supervisor of any district who may be  
11 authorized by the County Commissioners to work the same. The Sheriff of  
12 Garrett County, upon the demand of any bailiff, supervisor or other persons  
13 duly authorized to make such demand, is hereby authorized and required to  
14 deliver such prisoner to the party so making the demand and entitled to  
15 receive the same whenever and at such times as he may be so legally  
16 required. The labor to be performed by such convict may include every  
17 service necessary for the purpose of draining, grading, paving or repairing  
18 such public streets or other highways of Garrett County, within or without  
19 the limits of any incorporated town therein.

20 C. Responsibilities of supervising officer; penalty for refusal to work;  
21 exception. The officer or other person having such prisoner in charge shall  
22 have power and authority to compel such labor and shall be responsible for  
23 the safekeeping and return to prison of such convict to the custody of the  
24 Sheriff at the end of each day's labor, which day's labor shall be within the  
25 discretion of the officer or other person so supervising at the time, but shall  
26 not exceed ten (10) hours' work or labor for any day he may be so employed.  
27 Any prisoner so convicted and sentenced who shall refuse to perform the  
28 labor required of him shall incur the penalty of two (2) days' additional  
29 imprisonment for every day he may so refuse, and this provision shall be  
30 included in the sentence of the Court or District Court by whom the same  
31 may be rendered, but no prisoner shall be compelled to perform such labor  
32 whose health is not in a condition to allow the same, and the certificate of  
33 the physician to the jail or other physician in said county shall be sufficient  
34 to excuse such labor.

35 D. Penalty for supervising officer permitting an escape. If any officer or other  
36 person having such prisoner in charge for the performance of such work or  
37 labor, through connivance or by his willful neglect, permits the escape of any  
38 such prisoner, he shall be guilty of a misdemeanor and, upon indictment  
39 and conviction of such offense in the Circuit Court for Garrett County, shall  
40 be fined not less than twenty dollars (\$20.) nor more than fifty dollars (\$50.)  
41 or shall be confined in the county jail of the county and be subject to the  
42 same penalty of hard labor, or both, in the discretion of the Court.]

1 [26-2.

2       A. Labor on public roads, buildings or grounds permitted. In addition to any  
3 sentence of confinement in the county jail of Garrett County which may be  
4 imposed for failure to pay any fine or fines by the Circuit Court for Garrett  
5 County or any District Court for Garrett County having criminal  
6 jurisdiction, said Court or District Court shall also in said sentence direct  
7 that any prisoner over sixteen (16) years of age who may be so sentenced  
8 shall be subject to perform labor for and during the period of his  
9 imprisonment on the public roads, buildings and grounds of Garrett County  
10 or on the public streets of any incorporated town in said county, provided  
11 that during the employment of such prisoner on the public streets of any  
12 incorporated town, the town authorities of such town so employing such  
13 prisoner shall be charged with the expense which may attend such  
14 employment, and provided further that this section shall not apply to  
15 female prisoners.

16       B. Supervision required; type of labor performed. The labor provided for in  
17 Subsection A of this section shall be performed, if within the corporate  
18 limits of any incorporated town, under the supervision and direction of the  
19 Town Commissioners and Bailiff of such town, and if on the public roads of  
20 Garrett County, then under the supervision and direction of the County  
21 Commissioners or the Road Supervisor of any district who may be  
22 authorized by the County Commissioners to work the same. The Sheriff of  
23 Garrett County, upon the demand of any bailiff, supervisor or other persons  
24 duly authorized to make such demand, is hereby authorized and required to  
25 deliver such prisoner to the party so making the demand and entitled to  
26 receive the same whenever and at such times as he may be so legally  
27 required. The labor to be performed by such prisoner may include every  
28 service necessary for the purpose of draining, grading, paving or repairing  
29 such public streets or other highways of Garrett County, within or without  
30 the limits of any incorporated town therein.

31       C. Responsibilities of supervising officer; penalty for refusal to work;  
32 exception. The officer or other person having such prisoner in charge shall  
33 have power and authority to compel such labor and shall be responsible for  
34 the safekeeping and return to prison of such prisoner to the custody of the  
35 Sheriff at the end of each day's labor, which day's labor shall be within the  
36 discretion of the officer or other person so supervising at the time, but shall  
37 not exceed ten (10) hours' work or labor for any day he may be so employed.  
38 Any prisoner so sentenced who shall refuse to perform the labor required of  
39 him shall incur the penalty of two (2) days' additional imprisonment for  
40 every day he may so refuse, and this provision shall be included in the  
41 sentence of the Court or District Court by whom the same may be rendered,  
42 but no prisoner shall be compelled to perform such labor whose health is not  
43 in a condition to allow the same, and the certificate of the physician to the  
44 jail or other physician in said county shall be sufficient to excuse such labor.

1 D. Penalty for supervising officer permitting an escape. If any officer or other  
2 person having such prisoner in charge for the performance of such work or  
3 labor, through connivery or by his willful neglect, permits the escape of any  
4 such prisoner, he shall be guilty of a misdemeanor and, upon indictment  
5 and conviction of such offense in the Circuit Court for Garrett County, shall  
6 be fined not less than twenty dollars (\$20.) nor more than fifty dollars (\$50.)  
7 or be confined in the county jail of the county and shall be subject to the  
8 same penalty of labor, or both, in the discretion of the Court.]

9 [Chapter 38  
10 Firearms]

11 [38-1.

12 It shall be unlawful for any person under the age of fifteen (15) years to carry or  
13 have in his or her possession any shotgun, rifle, revolver or other firearm of any  
14 description within the limits of Garrett County.]

15 [38-2.

16 A. Any person convicted of violating this chapter before any court of competent  
17 jurisdiction shall be fined not less than five dollars (\$5.) nor more than  
18 twenty dollars (\$20.) or be imprisoned in the county jail for not less than ten  
19 (10) nor more than thirty (30) days for each and every offense.

20 B. All fines imposed and collected for violation of this chapter shall be paid to  
21 the County Commissioners of Garrett County, to be used by them in the  
22 improvement of the public roads in said county.]

23 [Chapter 66  
24 Manufacturers and Miners]

25 [ARTICLE I  
26 General Provisions]

27 [66-1.

28 If any individual engaged in mining or manufacturing in said county or any  
29 association or body corporate engaged in any business whatever therein shall, for the  
30 space of thirty (30) days, be indebted to the person in their employ or to furnishers of  
31 any raw material in the aggregate sum of twenty-five dollars (\$25.) and shall neglect  
32 or refuse to pay the same for the space of thirty (30) days, the Circuit Court for said  
33 county, as a court of equity, or the Judge thereof in vacation shall, upon the petition of  
34 the employees or furnishers of raw material or any number of them, appoint a  
35 receiver to take charge of the affairs of such individual, association or body corporate  
36 with a view to their liquidation and settlement under the authority of said Court.]

1 [66-2.

2 The defendant in said petition shall have a right to answer the same and deny  
3 the facts therein stated, and the issue shall be tried by court immediately or as soon  
4 as practicable after the filing of such answer, or if either party shall demand a jury  
5 trial of the issues raised by said petition and answer, then such issues shall be sent to  
6 the Circuit Court for said county, as a court of law, and, if the same shall be then in  
7 session, shall stand for trial at that term, and if not in session, then such issues shall  
8 stand for trial at the next term, but no demurrer or plea in abatement shall be  
9 allowed nor shall the same on any account be postponed. If it shall appear from the  
10 finding of the Court or jury upon said issues or any of them that such receiver should  
11 not have been appointed, then he shall be discharged, and pending the decision upon  
12 such issue, said receiver shall remain in possession of the property of such individual,  
13 association or body corporate, but shall not dispose of the same until the  
14 determination of such issues, unless the Court, under special circumstances, shall see  
15 proper to direct him so to do, in which case the proceeds thereof shall remain in his  
16 hands, in lieu of said property, to abide the result of said issues.]

17 [66-3.

18 A. Bond required. The receiver shall give bond in such penalty as the Court  
19 shall direct, with a surety to be approved by said Court or the Clerk thereof,  
20 and shall be held liable for every default, negligence or malfeasance in office  
21 of which he may be guilty.

22 B. Powers and duties; payment of claims. He shall take charge of the personal  
23 estate, goods, chattels, property and effects of every description whatever,  
24 other than real estate, of such individual, association or corporation and  
25 collect and make available the evidences of debt and sell and dispose of,  
26 upon such terms as the Court shall direct, the goods and chattels and pay  
27 off and discharge the debts owing from such individual, association or  
28 corporation to the persons in their employ and the furnishers of raw  
29 material or to each a pro rata proportion of his claims. There shall be no  
30 priority or preference allowed in the payments of such claims, and no  
31 attachment, execution, mortgage, bond, deed, bill of sale or deed of trust or  
32 other lien, except mechanics' liens, shall bind or operate as a lien upon said  
33 property or debts to the prejudice or disadvantage of the employees or  
34 furnishers of raw material as aforesaid, but said claims, all and severally,  
35 shall be first fully paid and discharged, or as far as the same can be done,  
36 before any attachment, execution, mortgage, bond, deed, bill of sale, deed of  
37 trust or other lien, except as hereinbefore specified, shall bind, hold, operate  
38 or take effect.]

39 [66-4.

40 Any sheriff or other officer who shall have an execution or attachment against  
41 the property of any such individual, association or corporation shall exempt from  
42 execution a sufficient amount of property to pay any indebtedness of such individual,  
43 association or corporation to employees and furnishers of raw material, and it shall be

1 his duty diligently to inquire whether said individual, association or corporation be  
2 indebted as aforesaid. If the employees or furnishers of raw material shall in any way  
3 suffer, be prejudiced or injured by refusal to comply with or negligence in executing  
4 the requirements hereof, such officer, together with his sureties, shall be held liable  
5 for whatever injury or damage shall be done in the premises.]

6 [66-5.

7 A. Ten-hour workday established; overtime. The period of employment of  
8 workmen employed in and about the mines of Allegany and Garrett  
9 Counties shall be ten (10) hours per day, said hours to be computed from the  
10 time of beginning said day's labor, provided that the time of beginning said  
11 day's labor shall be 7:00 a.m.; but nothing herein contained shall in any way  
12 preclude any workman in and about said mines from working a greater  
13 number of hours should he so desire and enter into contract with the owners  
14 or managers of any of said mines, such additional hours to be computed as  
15 overtime and to be paid for.

16 B. Penalty. Any person, body corporate, agent, manager or employer who shall  
17 violate any of the provisions of Subsection A of this section shall be deemed  
18 guilty of a misdemeanor and, upon conviction thereof, shall be fined not  
19 more than fifty dollars (\$50.)]

20 [66-6.

21 It shall be the duty of the Mine Inspector to make, as to the clay or fireclay  
22 mines in Allegany or Garrett Counties, the examination and reports required as to  
23 coal mines under Section 197 of Article I and Section 151 of Article 12 of this Act and  
24 to make recommendations to the State Department of Labor and Industry as to the  
25 legislation requisite to protect life and health in such clay mines.]

26 [ARTICLE II  
27 Miners Relief Fund]

28 [66-7.

29 As used in this Article, the following terms shall have the meanings indicated:

30 EMPLOYEE -- Includes miners, helpers, laborers, drivers, trappers, roadmen,  
31 propmen, repairers, foremen, superintendents and every employee engaged  
32 directly in or about the coal and clay mine of an operator.

33 OPERATOR -- Includes every corporation, person, partnership or association  
34 engaged in the business of coal mining or clay mining in Allegany and Garrett  
35 Counties, Maryland.]

36 [66-8.

37 A. Creation. There is hereby created for Allegany and Garrett Counties,  
38 respectively, a fund for the relief and sustenance of employees and their



1 dependents when such said employees have sustained injuries or disability  
2 in the discharge of their duty and for the relief and sustenance of the  
3 dependents of such employees when death has resulted from such injuries,  
4 said fund to be made up of the proceeds of the tax hereinafter levied and the  
5 increments from the investments thereof, as well as such donations and  
6 legacies as may be made thereto.

7 B. Maintenance of fund; levy. In order to create and maintain said fund, a tax  
8 is hereby levied and imposed upon each operator and employee as follows:

9 (1) For each month or fraction of a month that he is employed by any  
10 operator, a tax shall be imposed upon each employee as follows:

11 (a) For employees in Allegany County: twenty-seven cents (\$0.27).

12 (b) For employees in Garrett County: thirty-eight cents (\$0.38).

13 (2) For each month or fraction of a month in respect of each employee  
14 paying the tax and employed by said operator in Allegany and Garrett Counties, a tax  
15 shall be imposed upon each operator as follows:

16 (a) For operators in Allegany County: twenty-seven cents (\$0.27).

17 (b) For operators in Garrett County: thirty-eight cents (\$0.38).

18 C. Collections and payment of tax; penalty for default. Such tax shall be due  
19 and payable monthly to the Director of Finance of Allegany County and the  
20 Supervisor of Tax Collection of Garrett County, respectively, in which the  
21 mine is operated, and payable on or before the 25th day of the month next  
22 succeeding the month for which such tax is payable. In order to secure the  
23 effectual payments of such tax, each operator is authorized and required to  
24 deduct and retain from the wages of each employee employed by him on his  
25 payrolls in Allegany County the sum of twenty-seven cents (\$0.27) and in  
26 Garrett County the sum of thirty-eight cents (\$0.38) per month or fraction  
27 of a month if said employee is employed for less than a month. On or before  
28 the 15th day of the month next succeeding the month for which such  
29 deduction is made, each operator shall make a report of the number of  
30 employees so employed, under oath, to the Director of Finance of Allegany  
31 County or the Supervisor of Tax Collection of Garrett County where the  
32 particular mine is located, and, on or before the 25th day of said succeeding  
33 month, shall pay over unto the Director of Finance of Allegany County or  
34 the Supervisor of Tax Collection of Garrett County, as the case may be, the  
35 total amount so deducted and retained from the wages of the employees for  
36 the preceding month, together with a like amount to be paid by the operator.  
37 It shall be the duty of the County Commissioners of Allegany and Garrett  
38 Counties, respectively, to enforce, by appropriate remedies, the collection  
39 and payment of the tax hereby levied, and to all taxes in default, there shall  
40 be added and collected interest at the rate of six percent (6%) per annum  
41 from the date when due.]

1 [66-9.

2 A. The Director of Finance of Allegany County and the Supervisor of Tax  
3 Collection of Garrett County shall be legally liable to the respective Boards of County  
4 Commissioners for the safe and proper custody of the moneys received by them under  
5 this Article and shall hold the same in a separate fund to be known as "Miners and  
6 Operators Co-Operative Relief Fund," and shall only draw upon said Fund as  
7 provided by this Article.

8 B. (1) The respective Boards of County Commissioners may award the  
9 Director of Finance of Allegany County and the Supervisor of Tax Collection of  
10 Garrett County, in compensation for their services hereunder, such amounts as  
11 follows:

12 (a) For the Supervisor of Tax Collection in Garrett County, an  
13 amount equal to two percent (2%) of the tax collected hereunder.

14 (b) For the Director of Finance in Allegany County, an amount  
15 equal to one percent (1%) of the tax collected hereunder.

16 (2) The compensation shall be paid out of the general revenues of the  
17 respective counties.

18 C. The Director of Finance in Allegany County and the Supervisor of Tax  
19 Collection in Garrett County shall each keep careful statistics of the operations of this  
20 function, prepare and submit monthly, in advance, to the operators forms for their  
21 reports and himself make monthly reports on or before the first day of each month of  
22 the operation of the same to the County Commissioners of his county, stating receipts,  
23 disbursements and such other facts as may be necessary to correctly present the  
24 status of the Fund.

25 D. The Director of Finance of Allegany County shall give bond to the State of  
26 Maryland in the sum of twenty-five thousand dollars (\$25,000.) and in such further  
27 sums as may from time to time be fixed by the County Commissioners of said county,  
28 and the Supervisor of Tax Collection of Garrett County shall give bond to the State of  
29 Maryland in the sum of five thousand dollars (\$5,000.) and in such further sum as  
30 may from time to time be fixed by the County Commissioners of each county, to secure  
31 the faithful performance of their duties, and such bonds shall be approved by the  
32 County Commissioners and the cost thereof shall be charged to the Fund.]

33 [66-10.

34 A. Circumstances warranting payments from the Fund. The Treasurers of  
35 Allegany and Garrett Counties, respectively, shall make payments out of  
36 the Fund, when directed by the County Commissioners of each county, as  
37 follows:

38 (1) In the event of personal injuries to any person received while in  
39 discharge of his duty as an employee of any operator, subject to the

1 provisions of this article, and which shall have complied with the  
2 provisions hereof, payment shall be made as follows:

3 (a) In case of the loss of both hands, severance at or above the wrist  
4 joint: seven hundred fifty dollars (\$750.).

5 (b) In case of the loss of both feet, severance at or above the ankle  
6 joint: seven hundred fifty dollars (\$750.).

7 (c) In case of the loss of one (1) hand and one (1) foot, severance at  
8 or above the wrist or ankle joint, respectively: seven hundred  
9 fifty dollars (\$750.).

10 (d) In case of the loss of either hand, severance at or above the wrist  
11 joint: three hundred seventy-five dollars (\$375.).

12 (e) In case of the loss of either foot, severance at or above the ankle  
13 joint: three hundred seventy-five dollars (\$375.).

14 (f) In case of the loss of the entire sight of both eyes, if irrevocably  
15 lost: seven hundred fifty dollars (\$750.).

16 (g) In case of the loss of the entire sight of one (1) eye, if irrevocably  
17 lost: three hundred seventy-five dollars (\$375.).

18 (2) In the event of personal injuries as aforesaid resulting in any of the  
19 losses hereinbefore designated, the additional amount of one dollar  
20 (\$1.) per day, not including Sundays, excluding the first week  
21 following the injury, while he is being treated, for a period not  
22 exceeding twenty-six (26) weeks.

23 (3) In the event of personal injuries as aforesaid not resulting in any  
24 losses herein before designated but resulting in total disability, one  
25 dollar (\$1.) per day, not including Sundays, excluding the first week  
26 following the injury, for a period not exceeding fifty-two (52) weeks.

27 (4) In the event of personal injuries as aforesaid resulting in death  
28 within a period of one (1) year, one thousand five hundred dollars  
29 (\$1,500.), provided that in case any payments shall have been made  
30 on account of the above-mentioned losses or disability during  
31 treatment or total disability resulting from said injuries, the amount  
32 thereof shall be deducted from the sum payable upon death of the  
33 person injured.

34 (5) In case of death resulting from having come in contact with any of the  
35 mine gases, one thousand five hundred dollars (\$1,500.).

36 B. Payment of relief moneys. When any such employee shall have suffered  
37 loss from injury in the discharge of his duty as aforesaid, the County  
38 Commissioners for the county in which he shall have suffered said loss

1 from injury shall, within thirty (30) days after the receipt by them of  
2 satisfactory proof thereof, direct the Treasurer of the county to pay unto  
3 said employee, upon his proper receipt therefor, the sum of relief money as  
4 provided herein for such loss from injury. When such injury shall result in  
5 disability as aforesaid, said County Commissioners shall, within thirty (30)  
6 days after the receipt by them of satisfactory proof of the injury and  
7 disability, direct said Treasurer to pay said employee the per diem relief  
8 money as herein provided. When such injury shall result in death or the  
9 employee shall have been killed by coming in contact with mine gases as  
10 aforesaid, said County Commissioners shall, within thirty (30) days, after  
11 the receipt of satisfactory proof of the injury and death, direct said  
12 Treasurer to pay unto the personal representative of the deceased the  
13 relief money as herein provided, to be disbursed by him under the direction  
14 of the County Commissioners as hereinafter provided for the sustenance of  
15 the dependents of said deceased employee.

16 C. Proof of injury required; form; filing suit. The County Commissioners shall  
17 determine the manner and form of the proof herein required, provided that  
18 such proof shall at least consist of a certificate of the mine foreman or  
19 superintendent and of the mine inspector that the injury was received by  
20 the employee in the discharge of his duty and the certificate of a reputable  
21 physician setting forth the injury in detail, and, in the case of continuing  
22 disability, an additional certificate, monthly, of such physician certifying as  
23 to the period that the employee has been unable to resume his duties as a  
24 direct result of the injury, and, in the case of death, an additional  
25 certificate of such physician that death has result from said injury. If the  
26 County Commissioners shall fail or refuse to direct the Treasurer to pay or  
27 the Treasurer shall fail or refuse to pay unto any employee or personal  
28 representative of a deceased employee the relief money provided under  
29 this Article, suit may be brought by him, and in such suit the County  
30 Commissioners of the proper county shall be made defendant and shall  
31 defend such suit as other cases and have power to compromise the same in  
32 the exercise of a just discretion, and if not compromised, the court shall  
33 determine whether such relief money ought to be payable under this  
34 Article, but any judgment rendered in such cases shall only be payable out  
35 of the Relief Fund, provided that any such suit shall be brought by the  
36 employee within twelve (12) months from the date of the injury and by the  
37 personal representative within six (6) months from the date of the death of  
38 the deceased employee, and failure to commence such suits within said  
39 periods shall forfeit all right or claim of said parties to any payments out of  
40 said Fund.]

41 [66-11.

42 A. Determination of dependents; manner of payment. Upon application by a  
43 personal representative for the relief money contemplated by the Article  
44 for the sustenance of the indigent dependent or dependents of a deceased  
45 employee, the County Commissioners shall determine who the dependents  
46 are and the relative claims and necessities of each for shares of the relief

1 money payable and whether the age, habits and prudence of such  
2 dependents, if any, are such as to render them fit persons to receive the  
3 principal of such relief money as may be apportioned by the County  
4 Commissioners to any dependent, and, if not, then the County  
5 Commissioners may order such relief money paid in limited parts,  
6 periodically, until the portion and interest thereon of such dependent shall  
7 become exhausted. In the case of the dependents consisting of a mother  
8 and infant children, said Commissioners may, after adequate  
9 investigation, if they shall deem it of advantage to the dependents, order  
10 not more than seven hundred and fifty dollars (\$750.) of such relief money  
11 invested in a home for such dependents, the title to be in fee and to be  
12 invested in the personal representatives as trustee for the benefit of such  
13 dependents, and after such dependents shall arrive at the age of  
14 twenty-one (21) years or marry, then for the benefit of the mother  
15 exclusively. Such Commissioners may pass such orders in relation to the  
16 sale, lease or mortgage of said home as may from time to time become  
17 expedient, with a view to effectuating the relief hereby intended for  
18 indigent dependents and to prevent dependents from suffering and want.

19 B. Annual reports; bonding; appeals. To conserve such relief money from  
20 waste, the County Commissioners are hereby given plenary administrative  
21 power over the same by appropriate orders. Such personal representative  
22 shall report annually, in detail, to the County Commissioners the status of  
23 the Relief Fund in his hands, but shall not be required to account for same  
24 in the Orphans' Court. The County Commissioners shall require such  
25 personal representative to give bond to the State of Maryland for the safe  
26 custody of the Relief Fund in his hands in the sum of two thousand dollars  
27 (\$2,000.) and may be allowed commissions on the principal thereof not  
28 exceeding two percent (2%) for the first year and five percent (5%) yearly  
29 thereafter on the income in payment for his services. He shall deposit said  
30 relief money not otherwise invested in such bank as the County  
31 Commissioners may direct and shall only draw thereon in accordance with  
32 orders of such Commissioners. From any order passed by said County  
33 Commissioners under this section, the personal representative or any  
34 person claiming to be a dependent may appeal within sixty (60) days to the  
35 Circuit Court of such county, whereupon such Circuit Court shall have  
36 jurisdiction to determine the issues of fact and law raised by such appeal  
37 and may pass such rules as may be judged necessary to expedite and  
38 effectuate the determination of such issues, in which appeals the County  
39 Commissioners shall be party defendant.]

40 [66-12.

41 A. Temporary remittance of tax. When the assessments imposed and collected  
42 by the Treasurer of Allegany County shall amount to a surplus of thirty-five  
43 thousand dollars (\$35,000.) and when the assessments imposed and  
44 collected by the Treasurer of Garrett County shall amount to a surplus of  
45 fifteen thousand dollars (\$15,000.) over and above the pending and accrued  
46 claims on the same under this Article, such Treasurers shall report the fact

1 to the County Commissioners of their respective county, whereupon said  
2 Board of County Commissioners is hereby empowered and directed to remit  
3 temporarily the taxes hereby imposed from month to month as long as, and  
4 no longer, such surplus shall exceed thirty-five thousand dollars (\$35,000.)  
5 in Allegany County and fifteen thousand dollars (\$15,000.) in Garrett  
6 County, and when it shall be reduced to said sums or under as mentioned  
7 above, said tax shall become again payable as provided by this Article. It  
8 shall be the duty of the Treasurer of his respective county to invest, under  
9 the orders of the County Commissioners, any surplus above the sum of two  
10 thousand dollars (\$2,000.) in his hands in such public bonds as said  
11 Commissioners may direct and to credit such Fund with the interest derived  
12 therefrom.

13 B. Transfer of Fund and records. Upon the retirement from office or any  
14 disqualification to act of such Treasurer, the entire Fund, including such  
15 bonds and the books and papers pertaining to such Fund, shall be delivered  
16 by such Treasurer to his successor in office, who shall receipt for the same.]

17 [66-13.

18 All assignments of claims for relief money provided in this Article and all  
19 assignments of claims against any operator for injuries received by an employee in  
20 the discharge of his duty or for disability or death, provided that such operator shall  
21 not have been in default in compliance with the provisions of this Article at the time  
22 of such injuries, disability and death, shall be null and void, and said claims shall not  
23 be subject to attachment, garnishment or other legal process.]

24 [66-14.

25 A. Effect of legal action. No suit or action shall lie or be brought or maintained  
26 against any operator for or in respect of the death of any employee whose  
27 personal representatives shall have accepted the relief money provided for  
28 in this Article, and no such suit or action shall be brought before the  
29 expiration of six (6) months from the date of the employee's death nor while  
30 any suit brought by the personal representative for such relief money is  
31 pending. In case any suit or action is brought against any operator by any  
32 person claiming damages for or in respect of injury or disability received in  
33 the discharge of his duty as an employee of such operator, all right and  
34 claim of such person to any payments out of the Fund shall be thereby  
35 forfeited. When any person claiming that he has sustained injury or  
36 disability shall accept any relief money provided for in this Article for and in  
37 respect of such injury or disability or shall commence any suit against the  
38 County Commissioners for such relief money, the operator in whose employ  
39 such person sustained the injury or disability shall be exempt from liability  
40 therefor, and thereafter no suit or action shall lie or be brought or  
41 maintained against such operator for or in respect of such injury or  
42 disability or death resulting therefrom, provided that the provisions of this  
43 section shall not apply to cases where the operator has been in default in

1 compliance with the provisions of this Article at the time of the injury,  
2 disability or death.

3 B. Effect of judgment against operator. If any suit or action is brought against  
4 any operator for or in respect of any injury or disability received by an  
5 employee while in discharge of his duty or for death resulting therefrom,  
6 including death from contact with mine gases, and said operator shall  
7 appear and defend such suit or action and a judgment shall be rendered  
8 against him, he shall, after satisfying said judgment and upon filing with  
9 the County Commissioners a certified copy of said judgment and the order  
10 of satisfaction, be entitled thereafter to deduct from the payments required  
11 to be made by him hereunder to the County Treasurer a sum equal to the  
12 amount of said judgment and costs, provided that said operator shall have  
13 notified the County Commissioners of the pendency of said suit or action,  
14 and provided further that at the time of the injury, disability and death the  
15 operator has complied with the provisions of this Article.]

16 [Chapter 81  
17 Pensions]

18 [81-1.

19 The County Commissioners of Garrett County are hereby authorized and  
20 directed to levy and pay to retired school teachers who formerly taught in public  
21 schools in Garrett County, who retired prior to June 1, 1928, and who are receiving a  
22 pension from the Board of County Commissioners of Garrett County such sum or  
23 sums that the aggregate of such pension and such sum or sums shall be at least one  
24 thousand two hundred dollars (\$1,200.) per year.]

25 [Chapter 83  
26 Poor or Insane]

27 [83-1.

28 It shall be unlawful for any person or persons to remove, bring or entice any  
29 poor, indigent or insane person from any state, county or town to Garrett County with  
30 the intent to make said Garrett County chargeable with the support of such poor,  
31 indigent or insane person, under penalty of a fine of not less than twenty-five dollars  
32 (\$25.) nor more than five hundred dollars (\$500.) or imprisonment in the Maryland  
33 House of Correction for a period of not less than two (2) months nor more than two (2)  
34 years, or both such fine and imprisonment, in the discretion of the court.]

35 [83-2.

36 The County Commissioners of Garrett County shall have the power to return  
37 and remove such poor, indigent or insane persons who shall come into Garrett County  
38 or who shall be brought or removed into Garrett County for the purpose of charging  
39 Garrett County for the support of such persons to such state, county or town where  
40 such poor, indigent or insane persons reside, and the County Commissioners may

1 recover from such person or persons, state, county or town such expenses as are  
2 incurred by reason of the support and the return of such poor, indigent or insane  
3 person.]

4 [Chapter 93  
5 Sheriff]

6 [93-1.

7 The County Commissioners of Garrett County shall allow the Sheriff of Garrett  
8 County the sum of three hundred dollars (\$300.) per year for a cook to the jail, which  
9 sum shall be paid in monthly installments to the Sheriff.]

10 [93-2.

11 The Sheriff of Garrett County is hereby authorized and directed to require all  
12 persons of sufficient ability who shall be sentenced to imprisonment in the county jail  
13 of said Garrett County by the Circuit Court of Garrett County or any District Court of  
14 said county, as a punishment for any crime or misdemeanor committed therein, to  
15 work upon the public roads, highways, buildings and grounds of said county or upon  
16 the public streets of any incorporated town of said county or to do some work in  
17 connection with the improvement thereof as part of the prison discipline and  
18 management, provided that nothing herein shall apply to persons convicted and  
19 sentenced for crimes or misdemeanors committed prior to April 10, 1914, or to  
20 prisoners sentenced to perform such work on said roads or streets.]

21 [93-3.

22 A. Sale authorized; notice requirements. Whenever the owner or person, firm  
23 or corporation entitled to the possession of any motor vehicle or part thereof  
24 cannot be located and fails to claim said motor vehicle or part thereof for a  
25 period of thirty (30) days after said motor vehicle or part thereof came into  
26 the custody of the Sheriff of Garrett County pursuant to the rules and  
27 regulations hereinafter authorized to be made, the same may be disposed of  
28 by the Sheriff at public sale, provided that the time, place and terms of the  
29 sale, together with a full detailed description of the motor vehicle or part  
30 thereof, shall be inserted in one (1) or more newspapers of general  
31 circulation in the county where the sale is to take place at least once each  
32 week for two (2) successive weeks prior to the sale, and provided further  
33 that a notice by registered mail shall be sent at least ten (10) days prior to  
34 the sale to the owner, lien holder, if any, shown on the records of the  
35 Department of Motor Vehicles of the State of Maryland, or person, firm or  
36 corporation entitled to possession of the motor vehicle or part thereof, if his  
37 or its address is known or if it can be ascertained by the exercise of  
38 reasonable diligence. If the address cannot be ascertained by the exercise of  
39 reasonable diligence or if the motor vehicle or part thereof is not registered  
40 with said Department of Motor Vehicles, then the notice by mail shall not be  
41 required to be given.



1 (B) Sale of vehicle.

2 (1) Disposition of excess funds. Any excess in the amount of the selling  
3 price of said motor vehicle or part thereof at said sale, over and above  
4 the expenses thereof, and the amount of the storage, towing and  
5 repair charges incurred by the Sheriff during the period in which the  
6 motor vehicle or part thereof was in his custody and after payment of  
7 all liens to which the motor vehicle or part thereof may be subjected,  
8 in order of their priority, shall be accounted for and remitted by the  
9 Sheriff to the Board of County Commissioners for Garrett County,  
10 which shall create a special fund therefor.

11 (2) Presentation of claim by owner; payment. If the owner or person, firm  
12 or corporation entitled to possession of the motor vehicle or part  
13 thereof shall present to the Board of County Commissioners for  
14 Garrett County a claim for such excess at any time within one (1)  
15 year from the date of the sale, the Board shall authorize payment of  
16 such excess to said owner or person, firm or corporation entitled to  
17 the possession of the motor vehicle or part thereof.

18 (3) Transfer of excess to general fund. If no claim for the excess is made  
19 within one (1) year from the date of the sale, the excess shall be  
20 transferred from the special fund to the general funds of Garrett  
21 County, to be expended and used as are other funds received by the  
22 county.

23 C. Adoption of rules and regulations; violations and penalties. The Board of  
24 County Commissioners for Garrett County may make and adopt such rules  
25 and regulations as may be necessary or desirable for rescuing, taking  
26 custody of and disposing of lost, abandoned and stolen motor vehicles or  
27 parts thereof which may be found within the geographical jurisdiction of the  
28 county, not inconsistent with the provisions of this section, and it may  
29 provide for the imposition of penalties for the violation of such rules and  
30 regulations, not to exceed a fine of five hundred dollars (\$500.) or  
31 imprisonment for not more than ninety (90) days, or both such fine and  
32 imprisonment.]

33 [Chapter 107  
34 Thistles]

35 [107-1.

36 No landowner or tenant of any landowner in Garrett County shall permit any  
37 Canada thistles to grow to seed upon the land owned or rented by him, as the case  
38 may be.]

1 [107-2.

2 If any such landowner or tenant shall permit any Canada thistles to so grow to  
3 seed on the land owned or rented by him, he shall be fined a sum of not less than one  
4 dollar (\$1.) nor more than five dollars (\$5.) every day he shall permit the same to  
5 remain standing on his land after the same shall have developed or grown to bear  
6 seed, such fine or fines to be recovered before any District Court in said county as  
7 other small fines are now recovered, and the proceeds of such fine or fines shall be  
8 paid to the County Commissioners of Garrett County for the use of said county.]

9 [107-3.

10 No road supervisor in said county shall permit any such Canada thistles to grow  
11 to seed upon any land belonging to any public roads in said county adjoining or being  
12 part of any road under his charge, and if any supervisor shall permit the same, he  
13 shall be liable to the fine provided in § 107-2 hereof, to be recovered for the use of said  
14 county as provided in § 107-2.]

15 [Chapter 117  
16 Wages]

17 [117-1.

18 Every corporation engaged in mining or manufacturing or operating a railroad  
19 in Garrett County and employing ten (10) or more hands shall pay its employees the  
20 full amount of their wages in legal tender money of the United States, and any  
21 contract by or on behalf of any such corporation for the payment of the whole or any  
22 part of such wages in any other manner than herein provided shall be and is hereby  
23 declared illegal, null and void. Every such employee shall be entitled to recover from  
24 any such corporation employing him the whole or so much of the wages earned by him  
25 as shall not have been actually paid to him in legal tender money of the United States  
26 without setoff or deduction of his demand for or in respect of any account or claim  
27 whatever.]

28 [117-2.

29 Nothing in this chapter shall be construed to prevent any such corporation  
30 demising to any of its employees the whole or any part of any tenement in said county  
31 of any rent thereon reserved of from contracting for or advancing money to supply  
32 him with medicine or medical attendance needed for himself or his family or smithing  
33 or fuel and deducting from the wages of any such employee for and in respect of such  
34 rent, medicine, medical attendance, smithing or fuel or money advanced as  
35 aforesaid.]

36 [117-3.

37 Nothing contained in this chapter shall be construed to prevent the payment, in  
38 whole or in part, of the wages of any such employee in the notes of any bank, payable  
39 to bearer on demand, that shall be current at par in this state at the time of such

1 payment, but all payments made in such notes with consent of such employees shall  
2 be as valid and effective as if made in legal tender money of the United States.]

3 [117-4.

4 Any corporation aforementioned which shall, directly or indirectly, enter into  
5 any contract or make any payment hereby declared illegal shall be liable to  
6 indictment and, upon conviction thereof in any court of competent jurisdiction, shall  
7 for the first offense be fined one hundred dollars (\$100.) and for each succeeding  
8 offense not less than five hundred dollars (\$500.) nor more than one thousand dollars  
9 (\$1,000.).]

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
11 effect October 1, 2004.