MANY VISITORS IN AND AROUND STILL POND

Pfc. Allan Joiner of the U.S.M.C., Norfolk, Va., visited with his parents Mr. and Mrs. Allan Joiner the past week-end.

Miss Avis Clark and friend Miss Dorothy Dobbs of Phiadelphia spent Saturday and Sunday with her parents, Mr. and Mrs. J. William Clark.

Guests at the home of Mr. and Mrs. Harry H. Jones were Mr. and Mrs. Anthony Durham and two children of near Millington, Mrs. Helen Tarreyson of Washington, D. C., and Mr. Sequire of Jackson Heights, Long Island, N. Y.

Mr. and Mrs. F. B. Harper, Jr., and little son, F. B. III of Baltimore are enjoying a stay with their parents, Mr. and Mrs. F. B. Harper.

Mrs. Milton Hogans and Bobby were guests recently with her sister Mr. and Mrs. Kennedy in Philadelphia, Bobby remaining for a longer stay.

Mrs. Edward Schofield visited a few days with relatives in Georgetown, Md.

The winner of the blanket from the County-wide club for this week was Mrs. Frances Money of Kennedyville.

Mrs. Walter Licker of Philadelphia visited Misses Lydia and Laura Hague and Mr. Chas. Hague last week.

Mr. and Mrs. Thomas Bonwill enjoyed their vacation time at Rehoboth Beach, Delaware.

Mr. and Mrs. Louis Jewell and Billy of Aberdeen spent a short time with her parents, Mr. and Mrs. Horace Bramble at their home in Still Pond Neck.

Miss Elizabeth Pennington formerly of Kennedyville has been the guest of relatives and friends here during the week.

Mrs. F. B. Harper spent several days last week visiting friends in Hurlock, Md.

Guests at the home of Mr. and Mrs. Wm. Medders the past week-end were Mrs. O. G. Robinson and daughters, Miss Phoebe Robinson and Miss Joan Robinson of Washington, D. C.

Mrs. John Sweetman of Chestertown was the guest of Miss Louisa Travers on Wednesday last.

Mr. and Mrs. Dantonia of Chester were visitors of Mr. and Mrs. Carson Greenwood during the week-end.

Mr. and Mrs. Henry Davis, with family and friends of Delaware spent a short time at his home "Elmwood Farm" near here.

Several from the W.S. of C.S. prepared dinner and were at the parsonage to greet our pastor and wife, Rev. and Mrs. Flater with their new son Gary McAllister on their arrival from several weeks stay at Vienna, Md.

The Official Board of the Still Pond Methodist Church held their regular meeting in connection with The Covered Dish Luncheon, Tuesday evening. The Devotion period was in charge of members of the W.S. of C.S.

Mr. and Mrs. Griffith of Pennsylvania visited their home here the past week-end.

Mrs. L. B. Harper was a guest with relatives at Ocean City, Md., part of last week.

Mr. Wm. Pennington of Philadelphia is visiting with friends and relatives in and around town.

Mr. and Mrs. Luke Nicholson, Mrs. Louis Kephart, Mrs. Carson Greenwood and Luke, Jr., were Baltimore visitors on Wiednesday.

—V—

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Rock Hall—G. Ellsworth Leary
Kent Island— T. Walter Denny
Chestertown—J. D. Bacchus, P. M. Brooks, Thos. W. Eliason, Frederick G. Usilton.

FRED. G. USILTON, Pres. GEO. E. GORSUCH, Sect'y-Treas.

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The following

PUBLIC GENERAL LAWS

enacted by the

1943 GENERAL ASSEMBLY OF MARYLAND

have been selected for publication by the Governor and Attorney General of the State, as provided by Article 76 of the Public General Laws of Maryland.

CHAPTER 146

AN ACT to add a new Section to Article 21 of the Annotated Code of Maryland (1939 Edition), title "Conveyancing", sub-heading "Conveyances in General", said new Section to be known as Section 6A, and to follow immediately after Section 6, providing that a member of the armed forces of the United States located outside the continental limits of the United States may acknowledge deeds and other instruments, requiring acknowledgment, before commissioned officers.

Section 1. Be it enacted by the General Assembly of Maryland, That a new Section be added to Article 21 of the Annotated Code of Maryland (1939 Edition), title "Conveyancing", sub-heading "Conveyances in General", to follow immediately after Section 6 of said Article and to be known as Section 6A, said new Section to read as follows:

6A. Any and all deeds, mortgages, releases, bonds of conveyance, bills of sale, chattel mortgages and all other conveyances of real and personal property and of any interest therein and all agreements relating thereto and all other instruments of any kind, which require acknowledgment under the law of this State, may be acknowledged by any member of the armed forces of the United States located outside of the continental limits of the United States before any commissioned officer of the Army, Navy, Marine Corps, Coast Guard or other branch of the armed forces of the United States. An acknowledgment made under the provisions hereof shall be in substantially the following form:

"With the Armed Forces of the United States

At _____ ss:

I hereby certify that the aforegoing instrument was acknowledged this____ day of_____ 194__, by _____, serving in the armed forces of the United States, before me, a Commissioned Officer in the active service of the (Army of the United States, United States Marine Corps, United States Navy, United States Coast Guard or other branch of the armed forces of the United States, as the case may be.)

(Signature of Officer)

(Name, rank, unit to which he is attached, and permanent address of officer)".

The officer taking such acknowledgment shall not be required to affix a seal thereto. If the need for maintaining secrecy precludes disclosure of the place of execution or acknowledgment, the words "an undisclosed place" may be supplied in lieu of the appropriate foreign country, district, locality, nation or state. No instrument acknowledged as provided herein shall be invalid because of a failure to state therein the place of execution or acknowledgment; and no acknowledgment made in accordance with the provisions hereof shall be required to be authenticated in any manner whatsoever.

Sec. 2. And be it further enacted, That any and all deeds, mortgages, releases, bonds of conveyance, bills of sale, chattel mortgages and all other conveyances of real and personal property and of any interest therein and all agreements relating thereto and all other instruments of any kind, which require acknowledgment under the law of this State and which have been acknowledged prior to the effective date of this Act substantially in the manner herein provided, shall be, and are hereby made, valid to all intents and purposes as if the same had been acknowledged after the effective date hereof, provided the same are in all other respects in conformity with law and provided further that nothing in this Act shall affect the interest of any bona fide purchaser or creditor without notice who may have become such prior to the effective date hereof.

Sec. 3. And be it further enacted, That any and all laws, inconsistent with the provisions of this Act, be, and the same are hereby, repealed to the extent of such inconsistency.

Sec. 4. And be it further enacted, That this Act is hereby declared to be an emergency law and necessary for the immediate preservation of the public health and safety, and being passed upon a yea and nay vote, supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, the same shall take effect from the date of its passage.

Approved: March 23, 1943.

CHAPTER 150

AN ACT to provide for the conditional release from certain penal institutions by the Governor of Maryland of prisoners, who may be found to possess the necessary qualifications, in order to meet shortages of labor affecting any agency, commission, department, institution or other employing authority of the State or of any political sub-division thereof because of the present war between the United States of America and Germany, Japan and Italy, and to prescribe the method and extent of making such releases and employing such prisoners.

Section 1. Be it enacted by the General Assembly of Maryland, That, whenever the appointing authority of any agency, commission, department, institution or other employing authority of the State of Maryland, or of the City of Baltimore, shall make requisition upon the Commissioner of State Employment and Registration, or of the City Service Commission, as the case may be, for the certification of persons eligible to fill a vacancy in any position in the classified or unclassified service and said Commissioner, or said City Service Commission, is unable, upon the receipt of such requisition to make such certification because of a shortage of available manpower during the present emergency, said appointing authority shall be authorized to advise the Director of Parole and Probation of the vacancy so existing and to request him to determine if, among the inmates of any penal institutions of the State, there may be found persons who are otherwise qualified for conditional release and are capable of filling such vacancy, provided, however, that in the case of any such application preference shall be given by the Director of Parole and Probation to applications made by hospitals.

Whenever the appointing authority of any agency, commission, department, institution or other employing authority of any other political sub-division of this State shall have made reasonable efforts to employ persons eligible for employment in any position in any agency, commission, department, institution or other employing authority of any other political sub-division of this State and has been unable to obtain any person eligible to fill such vacancy, said appointing authority shall be authorized to advise the Director of Parole and Probation of the vacancy so existing and to request him to determine if, among the inmates of any penal institution of the State there may be found persons who are otherwise qualified for conditional release and are capable of filling such vacancy. "Conditional release," as used in this Act, shall mean a conditional commutation of sentence, a conditional pardon or a parole, as the case may be.

Upon the receipt of such request from the appointing authority, whether from any agency, commission, department, institution or other employing authority of this State or of a political subdivision thereof, said Director shall obtain from the Department of Correction the names of such prisoners as it may deem qualified to perform the required services; and thereafter said Director shall certify to such authority the names of such of said prisoners as he may find are suitable for such conditional release and possess the qualifications necessary for performing the duties of such vacant positions. From the list so certified, said appointing authority may select the prisoner who, in his opinion, would be most qualified for such position and shall advise said Director of such selection. Upon being advised of such selection, said Director shall recommend to the Governor the conditional release of such prisoner for the purpose of filling such vacant position. Said Director shall in every case recommend whether the prisoner shall receive a conditional commutation of sentence or a conditional pardon or a parole and shall specify the conditions of any parole, commutation of sentence or pardon that he may recommend for the purpose hereinbefore specified. To aid in the proper selection of such prisoners, said Director shall, with the approval of the Governor, adopt such policies, procedure and standards as may be necessary and proper.

The Governor, acting upon the recommendation of said Director, shall be authorized to grant the conditional release of such prisoner for such purpose and shall thereupon deliver to said Director a written order which shall be to him and to the warden of the institution authority for the release of such prisoner.

When any such prisoner is conditionally released, as hereinbefore provided, and employed by any such appointing authority, said authority shall promptly report such employment to said Commissioner of Employment, or to said City Service Commission or to any other supervisory authority of the payrolls of any political sub-division of this State, as the case may be, which is hereby directed to establish a special class of employees to be known as "Emergency Employees" and to include each such prisoner in said class. The Employment Commissioner, the City Service Commission or any other supervisory authority of the payrolls of any political sub-division of this State, as the case may be, is further directed to certify all payrolls which may include the names of such "Emergency Employees," but such employees shall be excluded from the Merit System of this State or of Baltimore City or of any other political sub-division of this State and from all the privileges and benefits thereof. No such emergency employee shall be covered or be eligible for any of the benefits and privileges of the Employees' Retirement System of the State, as established by Chapter 377 of the Acts of 1941, or for the benefits of any retirement or pension system of Baltimore City or of any political subdivision of this State, nor shall he be covered by the Workmen's Compensation Policies protecting inmates of such penal institutions engaged in extra-hazardous employment. Any agency, commission, department, institution or other employing authority of the State, or of Baltimore City or of any political sub-division of this State, which employs any such prisoner shall cover him within the Workmen's Compensation Policy protecting its other similar employees. The provisions of Section 15 to 17, both inclusive, of Article 64A of the Annotated Code of Maryland (1939 Edition), as amended by Chapter 395 of the Acts of 1941, shall not apply to any prisoner so released and employed.

Every prisoner so employed shall be entitled to be compensated at the same rate of base pay as any other employees in the same classified or unclassified position. The Director of Parole and Probation shall be authorized to determine what portion of his earnings shall be withheld from such prisoner; and the remainder of said earnings, not so withheld, shall be paid over to the superintendent of any institution or other employing authority, at which he is employed, for disbursement to him. Such employing authority shall receive the portion so withheld and shall, on the instructions of said Director, pay any part or all of such portion to the dependent or dependents of such prisoner. Any balance of the portion withheld, not so paid to any dependent or dependents, shall be held by said employing authority for payment to such prisoner at the termination of his period of conditional release.

The granting of a conditional release to any prisoner as hereinbefore provided shall not thereby render him ineligible for general parole thereafter, but he may be considered for general parole in accordance with law and such rules and regulations as may be adopted by said Director from time to time. Every prisoner granted a conditional release under this Act shall be and remain under the supervision of said Director of Parole and Probation, who shall be responsible for his custody, but such prisoner shall be otherwise subject to the orders of the appointing authority during the time that he is employed by any institution or other employing authority of the State, or of Baltimore City or of any political subdivision of this State. Any such prisoner may be returned to the penal institution by cancellation of the parole, conditional commutation or conditional pardon issued, if such prisoner is, for any reason, found unsuitable for performing the duties of his position or whenever his services are no longer required; and each such prisoner shall be considered as having continued serving his sentence during such period of conditional release, and shall be entitled to such deductions from his period of confinement as he would have earned had he been working within the penal institution. In order to thus return such prisoner it shall not be necessary to provide a hearing or establish any record of misconduct. Violations of the terms of conditional release shall be handled as provided by law.

The said Director of Parole and Probation may in his discretion certify to any said employing authority the name of any person previously released and at large under the terms of a parole, conditional commutation or conditional pardon, and if such person be selected by said employing authority, all the provisions of this Act shall apply to such employment insofar as they are not inconsistent with the terms of the original order of parole, conditional commutation or condftional pardon by which such prisoner was released.

Sec. 2. And be it further enacted, That to the extent of any inconsistencies herewith, the provisions of this Act shall supersede for the effective period hereof any provision of any other statute or of any ordinance, order, rule or regulation inconsistent herewith.

Sec. 3. And be it further enacted, That this Act shall be in effect during the continuance of the existing state of war between the United States and Germany, Japan and Italy and during any prolongation thereof with any one of such nations and/or with any other foreign country and for three months after the termination thereof by the signing of a definitive treaty of peace or by the proclamation of the President of the United States or the Governor of the State that hostilities have ceased or that the emergency no longer exists, whichever event first occurs; provided, however, that this Act shall cease to be in effect upon the adoption at any time by the General Assembly of a Joint Resolution stating that it is no longer necessary for the public good and safety of the State and terminating the same; and provided, further, that the termination of this Act shall not affect any act done or any right, liability or obligation accruing or accrued pursuant thereto and during the time that the Act is in force; and provided, further, that the expiration, repeal or termination of this Act shall not have the effect of releasing or extinguishing any penalty, forfeiture or liability incurred hereunder prior to the date of such expiration, repeal or termination, and this Act shall be treated as remaining in full force and effect for the purpose of sustaining any and all prior actions, suits, proceedings or prosecutions, civil or criminal, for the enforcement of such penalty, forfeiture or liability.

Sec. 4. And be it further enacted, That this Act is hereby declared to be an emergency law and necessary for the immediate preservation of the public health and safety, and having been passed by a yea and nay vote, supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, the same shall take effect from the date of its passage.

Approved: March 12, 1943.

CHAPTER 319

AN ACT to add a new Section to Article 81 of the Annotated Code of Maryland (1939 Edition), title "Revenue and Taxes", sub-title "Income Tax", said new section to follow immediately after Section 230 of said Article and to be known as Section 230A; and to provide a credit against income taxes payable.

Section 1. Be it enacted by the General Assembly of Maryland, That a new section be added to Article 81 of the Annotated Code of Maryland (1939 Edition), title "Revenue and Taxes", subtitle "Income Tax", to follow immediately after Section 230 of said Article, and to be known as Section 230A, said new section to read as follows:

230A. The taxes due and payable by any taxpayer under this sub-title, with respect to taxable income for the calendar years 1942, 1943 and 1944, if the taxpayer's taxable year is the calendar year, or with respect to the first fiscal years ending after December 31, 1942, 1943 and 1944, if the taxpayer's taxable year is a fiscal year, shall be subject to a credit of thirty-three and one-third (33-1/3) per centum. Each taxpayer shall calculate the tax due by him under this sub-title, without reference to this section, with respect to any of said taxable years, on a return prescribed by the Comptroller, shall deduct from the tax so calculated the credit given by this section, and, in the manner and at the times provided in this sub-title, shall file said return and pay as the total tax due by the taxpayer, the amount of the tax as originally calculated, which shall remain after the deduction herein authorized.

Sec. 2. And be it further enacted, That this Act is hereby declared to be an emergency law and necessary for the immediate preservation of the public health and safety, and being passed upon a yea and nay vote, supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, the same shall take effect from the date of its passage.

Approved: March 23, 1943.

CHAPTER 380

AN ACT making it a misdemeanor for certain persons not to work or fight during the period of the present emergency, and to provide criminal penalties therefor.

Section 1. Be it enacted by the General Assembly of Maryland, That every able-bodied, sane male person between the ages of 16 and 60, residing in the Counties of Caroline, St. Mary's, Somerset, Kent, Worcester, Wicomico, Anne Arundel, Cecil, Harford, Montgomery, Dorchester, Talbot, Baltimore and Queen Anne, who is not in the armed forces of the United States, or who has not received his notice to report for induction into such forces, or who is not on duty as a member of the Maryland State Guard, or who is not a bona fide student in a school or other educational institution in this State or elsewhere, whether able to support himself by reason of ownership of property or income or whether supported by others, who is not actually working in some business, occupation, trade or profession, and who refuses to accept at prevailing wages an offer of employment for which he is physically qualified in the County where he resides, shall be guilty of a misdemeanor, and upon conviction thereof before a Trial Magistrate of the County in which such person resides, shall be fined not more than Five Hundred Dollars ($500.00), or be imprisoned not more than six (6) months, or be both fined and imprisoned, in the discretion of said Trial Magistrate.

Sec. 2. And be it further enacted, That this Act shall not apply to any person who actually works five (5) days in each week, or on such less number of days in each week that employment by his employer is available, nor shall it apply to any person while on any vacation granted by his employer, nor to bona fide teachers or duly ordained ministers of the gospel.

Sec. 3. And be it further enacted, That any and all appeals under this Act, and any case in which a jury trial be demanded, shall be heard by the Circuit Court for the County in which such appeal is noted, or in which such jury trial is demanded, within fifteen (15) days after such appeal or demand.

Sec. 4. And be it further enacted, That this Act shall be in effect during the continuance of the existing state of war between the United States and Germany, Japan and Italy, and during any prolongation thereof, or with any of such nations and/or with any other foreign country, and shall be terminated by the signing of a treaty of peace, or by a proclamation of the President of the United States or the Governor of the State that hostilities have ceased, or that the emergency no longer exists, whichever event first occurs: provided, however, that this Act shall cease to be in effect upon the adoption at any time by the General Assembly of Maryland of a Joint Resolution stating that it is no longer necessary for the public good and safety of the State and terminating the same; and provided further, that the expiration, repeal or termination of this Act shall not have the effect of releasing or extinguishing any penalty, forfeiture or liability incurred hereunder prior to the date of such expiration, repeal or termination, and this Act shall be treated as remaining in full force and effect for the purpose of sustaining any and all prior actions, suits, proceedings or prosecutions, civil or criminal, for the enforcement of any penalty, forfeiture or liability provided herein.

Sec. 5. And be it further enacted, That this Act is hereby declared to be an emergency law and necessary for the immediate preservation of the public health and safety, and being passed upon a yea and nay vote, supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, the same shall take effect from the date of its passage.

Approved: April 1, 1943.

CHAPTER 602

AN ACT declaring the existence of an emergency by reason of war; making provision for necessary regulations and activities in relation to civilian defense; and authorizing the lease or loan of State property or the temporary transfer or employment to personnel of the State Government to or by the Armed Forces of the United States, and acceptance of Federal Aid in pursuance of the prosecution of the war.

Findings; Purposes; Policy.

Section 1. Be it enacted by the General Assembly of Maryland, That it is hereby found and declared that a state of emergency now exists in the United States and in the State of Maryland by reason of the war in which the United States is now engaged, resulting in conditions of imminent danger to the lives and property of the people of the State; that to provide adequately for the defense of the State, the safety of its people and the protection of the property and to give maximum aid to the government of the United States in the prosecution of said war, it is necessary that the State and its representatives be prepared to meet the extraordinary conditions, problems and dangers incident to war promptly under changing conditions and to co-operate with the government of the United States and the governments of other States in matters relating to the prosecution of said war and to the war effort.

General Emergency War Powers of the Governor.

Sec. 2. And be it further enacted, That the Governor is authorized and empowered:

(a) Cooperation with the President and Others.

To cooperate with the President of the United States of America, as Commander-in-Chief of the Army, the Navy, and all military forces under his command; with other Federal departments, agencies, and independent establishments, and with the officers and agencies of other States in matters pertaining to the war and the common defense of the State and Nation and the incidents thereof.

(b) Creation of Executive Committee.

To appoint an Executive Committee composed of seven members of the present Maryland Council of Defense selected without regard to political affiliation, one of whom shall be representative of agriculture, one representative of organized labor, one representative of industry, and four representatives of the general public. The Governor shall designate the chairman of the Executive Committee of the Maryland Council of Defense and shall fill all vacancies however occurring. Said committee shall meet at least once a month or on the call of the chairman.

(c) Use of Property, Services and Resources.

To use and employ within the State, from time to time, as he may deem expedient, any of the property, services, and resources of the State, for the purposes set forth in this Act.

(d) Compliance.

To employ such measures and give such directions to State and local law enforcement officers and agencies as may be necessary and appropriate for the purpose of securing compliance with the provisions of this Act and with any orders, rules and regulations made pursuant thereto.

(e) Organization.

To utilize the services and facilities of any officers, offices, departments, commissions, boards, bureaus, institutions and other agencies of the State.

Vesting of Power in the Executive Committee of the Present Maryland Council of Defense.

Sec. 3. And be it further enacted, That the Executive Committee is authorized and empowered:

(a) To prescribe and direct activities, to the extent related to the war effort, in connection with the following: Salvage and prevention of waste of strategic materials; conservation of transportation facilities; training and supply labor; stimulation of agriculture; maximum production of war material in individual plants; health and medical care; nutrition; housing, including the use of existing public and private facilities; rehabilitation; education; welfare; child care; recreation for industrial workers and members of the armed forces; sale of war bonds and stamps; and other civilian programs in furtherance of the war effort.

(b) To supervise and direct investigations and report to the Governor with such recommendations for legislation as it may deem necessary with respect to any matters directly or indirectly related to defense.

(c) To make full investigations as to all questions directly or indirectly relating to the powers or duties vested in it by this Act or by any other law.

(d) to recognize in each County of the State and the City of Baltimore a Local Council of Defense which shall cooperate with and assist the Maryland Council of Defense and shall perform such services as may be requested by it. Local Councils may act jointly with other such Councils. Insofar as applicable Local Councils shall have the same powers and duties within their respective jurisdictions as are vested in the Maryland Council of Defense. Such Local Councils shall terminate or cease activity whenever the Maryland Council of Defense is dissolved or suspended.

(e) To do all acts and things not inconsistent with law for the furtherance of defense activities.

(f) Utilization of Existing Services and Facilities—In order to avoid duplication of services and facilities the Maryland Council of Defense and the Local Councils of Defense are directed to utilize the services and facilities of existing officers, offices, departments, commissions, boards, bureaus, institutions and other agencies of the State and of the political subdivisions thereof. All such officers and agencies shall cooperate with and extend their services and facilities to the Maryland Council of Defense upon its request.

Blackouts and Other Precautionary Measures Against Attack.

Sec. 4. And be it further enacted, That (a) the Maryland Council of Defense through its Executive Committee shall have the power to take such precautionary measures as may be necessary and appropriate for the safety, defense and protection of the civilian population of the State and property within the State with respect to air raids and other forms of attack. In furtherance of this power and duty the Executive Committee of the Maryland Council of Defense shall have power to adopt, promulgate and enforce rules, regulations and orders for this purpose, and shall cause such rules, regulations and orders to be published and disseminated in such manner and to such extent as it shall deem necessary and advisable. Such rules, regulations and orders so adopted shall have the same force as if they formed a part of this Act. Subject to the provisions of this Act, and without limiting the general power conferred above, the Executive Committee of the Maryland Council of Defense shall have the power to make rules, regulations and orders regarding:

(1) The organization, recruiting, maintenance of observation and listening posts; and the organization, recruiting, training, maintenance and operation of information and control centers, including the location thereof, and such other services and facilities as may be necessary for the prompt reception and transmission of air raid warnings and drills.

(2) The formation and execution of plans and regulations for the carrying out of practice blackouts, air raid drills and warnings and of all precautionary measures under actual conditions of hostile air raids or enemy attack.

(3) The organization, recruiting, training, conduct, duties and powers of volunteer agencies.

(4) The effective screening or extinguishment of all lights and lighting devices and appliances.

(5) The conduct of civilians and the movement and the cessation of pedestrian and vehicular traffic during attack or drill.

(6) The evacuation of civilian populations from dangerous and damaged areas.

(7) The mobilization and coordination of municipal, county and volunteer agencies and the use of the personnel and equipment of such agencies wherever needed in the State.

(b) Local Councils of Defense shall have the power to adopt, promulgate and enforce rules, regulations and orders not inconsistent with rules, regulations and orders adopted by the Executive Committee of the Maryland Council of Defense with respect to the foregoing matters; provided, however, that no rule, regulation or order of any Local Council of Defense shall become effective unless and until it shall have received the prior approval of the Executive Committee of the Maryland Council of Defense.

(c) The Executive Committee of the Maryland Council of Defense in providing for the mobilization and co-ordination of municipal, county and volunteer agencies shall have power to make the personnel and equipment of such agencies available for duty and use in any political subdivision other than the political subdivision in which such personnel and equipment are normally used, employed or act. Unless existing or future voluntary agreements between political subdivisions require otherwise, and except as hereinafter provided in Section 5 (c), the use of personnel and equipment of any municipal, county or volunteer agencies in any political subdivision other than the political subdivision in which they normally are used, employed or act shall be without charge or expense to such political subdivision. Whenever any part of the regular personnel of any municipal, county or volunteer agency of any political subdivision is engaged under the provisions of this Act in rendering services in another political subdivision, such personnel shall have the same powers, duties, rights, privileges and immunities as if it were performing its duties in the political subdivision in which it is normally employed or acts.

(d) Whenever the United States or any agency or officer thereof shall offer equipment, supplies, materials or funds for or relating to defense activities, or any other activities relating to the war effort, to the State or any political subdivision thereof, the State or such political subdivision is hereby authorized to accept such offer, and the Executive Committee of the Maryland Council of Defense shall have power to adopt, promulgate and enforce rules, regulations and orders for the use of such equipment, supplies, materials and funds subject to the terms of the offer and subject also to the rules and regulations of the Federal agency making the offer.

(e) Neither the State nor any political subdivision thereof nor its agents or representatives nor any member of the municipal, county or volunteer agency nor any individual, partnership, association, corporation, trustee, receiver, or any of the agents thereof, in good faith carrying out, complying with or attempting to comply with any law or duly promulgated rule, regulation or order relating to blackouts, air raid drills or other activities connected with the protection of the civil population from air raids or enemy attacks shall be liable for any injury or death to persons or damage to property as the result of such activity. The foregoing shall not affect the right of any person to receive benefits to which he might otherwise be entitled under the Workmen's Compensation Law or any pension law of this State, or the right of any person otherwise entitled to receive any benefits or compensation under any act of Congress, or of this State.

(f) Neither the State nor any political subdivision thereof, nor their agents or representatives, shall be liable for personal injury or property damage sustained by any person appointed or acting as a civilian defense worker or member of any agency engaged in civilian activity. The foregoing shall not effect the rights of any person to receive benefits or compensation to which he might otherwise be entitled under the Workmen's Compensation Law or any pension law or any act of Congress or of this State.

Fire Defense Mobilization.

Sec. 5. And be it further enacted, That (a) Outside Service by Paid, Volunteer and Auxiliary Firemen. At the request of the Chief Executive or governing body of any county, city, town, village or fire district, the head of any fire department of any other political subdivision may, or if so ordered by the Governor and/or the Maryland Council of Defense acting through such person or persons as it may designate, shall assign and make available for duty and use in such county, city, town, village or fire district, under the direction and command of such officer as may be designated for the purpose, any part of the fire-fighting forces and equipment under his control; provided that any equipment made available by loan, or otherwise, to any county, city, town, village, or fire district in the State, by the United States Government or any agency thereof, shall at all times be subject to the order of the United States Government or such agency in accordance with the terms and conditions upon which such equipment shall have been made available.

(b) Powers, Duties, Rights, Privileges and Immunities. Whenever the fire-fighting forces of any county, city, town, village or fire district are rendering outside aid pursuant to this Act, the officers and members of such fire-fighting forces shall have the same powers, duties, rights, privileges, and immunities as if they were performing their duties in the political subdivision in which they are normally employed.

(c) Loss, Damage or Expense. The county, city, town, village or fire district in which any equipment is used pursuant to this Act shall be liable for any loss or damage thereto and shall pay any expense incurred in the operation and maintenance thereof. No claim for any such loss, damage or expense shall be allowed unless, within sixty days after the same is sustained or incurred, an itemized notice of such claim, under oath, is served by mail or otherwise upon the chief fiscal officer of such county, city, town, village or fire district, where the equipment was used.

(d) Liability for Acts or Omissions. Neither the State nor the political subdivision of the State whose fire-fighting forces are rendering outside aid pursuant to this Act shall be liable on account of any act or omission on the part of such forces while so engaged, or on account of the maintenance or use of any equipment or supplies in connection therewith; nor shall any commissioner, chief or other superior officer of a fire department, fire company or other fire-fighting forces, acting pursuant to this Act, be liable on account of any act or omission, on the part of any of his subordinates while such subordinates are rendering outside aid pursuant to this Act under the command of an officer other than himself.

(e) Reimbursement of Salaries and Expenses. The political subdivision which is aided pursuant to this Act shall reimburse the political subdivision furnishing such aid for the compensation paid to employees furnished under this Act during the time the rendition of such aid prevents them from performing their duties in the political subdivision by which they are employed and shall defray the actual traveling and maintenance expenses of such employees while they are rendering such aid. The term "employee" as used herein shall mean and the provisions of this Act shall apply with equal effect to paid, volunteer and auxiliary firemen.

(f) Temporary Substitute Fire-Fighting Forces. Substitute firemen, not exceeding the number of regular firemen, may be appointed by the same persons authorized by law to appoint regular firemen; provided that such appointments shall not be subject to the requirements of any Merit System or Civil Service Law or Rules, and that such substitute firemen shall not be entitled, to any pension or retirement rights or privileges. The substitute firemen appointed under this Act shall have the powers, functions and duties of regular firemen. The compensation of such substitute firemen shall not be greater than the lowest rate of pay for regular firemen. Persons appointed as substitute firemen shall exercise their powers, functions and duties only when called upon, during the period all, or any part, of the regular fire-fighting forces of any county, city, town, village or fire district are rendering outside aid pursuant to this Act, and for no longer than two days after the return to duty of the part of the regular fire-fighting forces for which they are substituting. The compensation of such substitute firemen and any allowable expense necessarily incurred by them in the performance of their duties shall be charged against the county, city, town, village or fire district for which they were appointed and shall be audited, allowed and paid as other charges against it are audited, allowed and paid.

Lease or Loan of State Property: Transfer of State Personnel.

Sec. 6. And be it further enacted, That upon the request of the Government of the United States, or of any duly authorized official, department or agency thereof, accompanied by a statement that such request is made in pursuance of the successful prosecution of the War, the Governor, with the approval of the Board of Public Works, is authorized and empowered to:

(a) Authorize any department or agency of the State to lease or lend, on such terms and conditions as they may deem necessary to promote the public welfare and protect the interests of the State, any real or personal property of the State, or authorize the temporary transfer or employment of personnel of the State to or by the Army, Navy, or any other branch of the Armed Forces in the United States of America.

(b) Enter into a contract on behalf of the State for the lease or loan, on such terms and conditions as they may deem necessary to promote the public welfare and protect the interests of the State, of any real or personal property of the State, or the temporary transfer or employment of personnel of the State to or by any political subdivision of the State.

Provided, however, that no lease, loan, or contract entered into pursuant to this section shall be for a period longer than the effective period of this Act.

Penalties.

Sec. 7. And be it further enacted, That any person who violates any of the provisions of this Act or of any order, rule or regulation promulgated pursuant hereto shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars ($500) or by imprisonment in jail or in the Maryland House of Correction for not more than one year, or both fine and imprisonment, in the discretion of the Court.

All complaints and prosecutions for violations of any provision of this Act or of any order, rule or regulation so promulgated may be either upon presentment or indictment in any Court having criminal jurisdiction in this State or by trial before any Justice of the Peace, including any Trial Magistrate, in and for the County where the violation occurs. If the violation occurs in Baltimore City, the Justice of the Peace assigned to the station houses in Baltimore City shall have jurisdiction to hear, try and determine all complaints and prosecutions for violations of all the provisions of this Act or any other, rule or regulation so promulgated, involving any other matter thereunder occuring in said City.

Said Justices of the Peace, including Trial Magistrates in the Counties and Justices of the Peace assigned to station houses in said City, shall have power to issue all processes and do all acts which may be necessary for the exercise of said jurisdiction and may try and determine all such cases and may pronounce judgment and impose sentence therein to the same extent as the aforesaid courts having criminal jurisdiction could do in such cases, if such cases were tried before such court without a jury; provided, however, that if any person which brought before any such justice having jurisdiction of the case, shall, before the trial for the alleged offense, pray a jury trial, or if the State's Attorney for the County where the offense occurs, or for Baltimore City, if the offense occurs therein, shall, before the trial of such alleged offense, pray a jury trial on behalf of the State, it shall be the duty of such justice to commit such alleged offender for trial, or to hold him to bail to appear for trial in the court having criminal jurisdiction in the case, at its then or next session, and to transmit said commitment or recognizance, with the names and residences of the witnesses for the prosecution endorsed thereon, forthwith to the Clerk of such Court; and the Justice of the Peace before whom the accused is brought for trial shall inform him reasonably of his right to demand a trial by jury.

Liberality of Construction.

Sec. 8. And be it further enacted, That this Act shall be deemed an exercise of the police powers of the State for the defense of the State, the safety of its people and the protection of property, and all its provisions shall be liberally construed for the attainment of these ends, it being intended that the powers herein conferred shall be in furtherance and not in limitation of the power and authority vested in the Governor under the Constitution and laws of this State.

Severability.

Sec. 9. And be it further enacted, That if any provision of this Act or any application thereof is held invalid, unconstitutional or inoperative, the remainder of this Act and other applications thereof shall not be affected thereby and to this end the provisions of this Act are declared to be severable.

Termination of This Act.

Sec. 10. And be it further enacted, That this Act shall be in effect during the continuance of the existing state of war between the United States and Germany, Japan and Italy and during any prolongation thereof with any one of any such nations and/or with any other foreign country and for six months after the termination thereof by the signing of a definite treaty of peace or by the proclamation of the President of the United States that hostilities have ceased or that the emergency and justification of extraordinary war powers no longer exist, whichever event first occurs; provided, however, that this Act shall cease to be in effect upon the adoption at any time by the General Assembly of Maryland of a Joint Resolution stating that it is no longer necessary for the public good and safety of the State and terminating the same, and provided, further, that the termination of this Act shall not affect any act done or any right, liability, or obligation accruing or accrued pursuant thereto and during the time that the Act is in force; and provided, further, that the expiration, repeal or termination of this Act shall not have the effect of releasing or extinguishing any penalty, forfeiture or liability incurred hereunder prior to the date of such expiration, repeal or termination, and this Act shall be treated as remaining in full force and effect for the purpose of sustaining any and all prior actions, suits, proceedings or prosecutions, civil or criminal, for the enforcement of such penalty, forfeiture or liability.

Effective Date.

Sec. 11. And be it further enacted, That this Act is hereby declared to be an emergency law and necessary for the immediate preservation of the public health and safety, and having been passed by a yea and nay vote, supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, the same shall take effect from the date of its passage.

Approved: April 30, 1943.

CHAPTER 635

AN ACT to repeal and re-enact, with amendments, Section 33 of Article 9 of the Annotated Code of Maryland (1939 Edition), title "Attachments", sub-title "Attachments of Wages or Hire", to provide that salary or wages shall not be exempt from attachment

(Continued Next Week)

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