GLIMPES FROM SHORE COUNTIES

Items Noted From Other County Weeklies

The owners of Crystal Beach Manor, located along Elk river, have been awarded a verdict in the U. S. District Court at Baltimore for 14,000 in the condemnation suit against the federal government, to recover damages from the dredging of Elk river, in connection with the widening of the Chesapeake and Delaware Canal.

The property owners had asked for a total of $80,000 in their original demands for settlement.

Edward Harris, colored, come to Clerk's desk, and be arraigned. Hold up your right hand, said the clerk. You are charged, read the clerk,, with desertion of your wife, Josephine, and non-support of two children. As the clerk read the charge, the colored man's hand began to wave like a flag in a breeze, his knees trembled, and bid beads of swkeat stood out on his forehead.

"Are you, Harris, guilty or not guilty?" "Not guilty," said Harris, "I is a witness."

Judge Knotts feeling that there was something wrong, questioned the colored man.

"You are married, Harris?" Yes sir. but my wife's name is not Josephine, and my wife's name is notDt Iwtq and my two children's names are not those named."

Jumping to his feet, State's Attorney Rollins, advised the Court that there were two Edward Harris' in the Court room, ,one a witness and the other the accused. The wrong man had answered the call. The right man was arraigned and the case proceeded.

A fire which about four o'clock Saturday morning, completely destroyed two large warehouses filled to over flowing with surplus furniture belonging to the Nathan Furniture Stores, at Cambridge and also destroyed the old garage and a new one, not yet completed, in which there were five or six practically new automobile delivery trucks.

On Thursday the fiscal year of Emergency Hospital closed. Receiving state aid the year must coincide with the State's year. The twelve months just closed will show the greatest number of patients and patients days in the history of the institution. There has been a twenty per cent increase in free patients with a consequently larger deficit. Some rather drastic steps will have to be made by the Board to meet the very heavy financial losses of the year.

Maryland's first pension to aged employees will be paid to forty-eight aged workers on October 15, under provisions of the new State Employe's Retirement Act. The retirement system's board of trustees, headed by Williamw S. Gordy, Jr., State Comptroller, have approved the forty-eight applications for pensions amounting to $22,932 annually. They become effective October 1 and first checks will be mailed two weeks later.

The prospect of losing their Shore League bsaeball franchise to Milford, Del., spurred Easton fans to prompt and effective action. As a result a meeting was held here Sunday and was held here Sunday and was attended by George (Doc.) Jacobs, manager of the club this past season, and others interested in the future of baseball in Easton.

It was revealed after the meeting that the franchise will remain in Easton. Mr. Jacobs will be back next year as manager and a committee is working out plans to meet his demands. Spring training will begin April 1.

While engaged in canning fruit at her home in Pittsville, Worcester County, last Friday morning, Mrs. Lena McNeal, 63-yar-old housewife, was fatally burned when parrafin wax she was using to seal the jars of fruit caught fire and exploded.

The Mayor and Council, of Salisbury, in special session Tuesday night, struck the levy for the fiscal year starting October 1, 1937 and ending Septembr 30, 1938, and fixed the tax rat at $1.00, the same figure which has obtained the past year.

Sixty-five cents is allocated for general running expenses of the city and 35 cents for sinking fund purposes.

A warrant charging a man with the murder of Alonza L. Blades, 62-year-old former Deputy Sheriff of Worcestr County, found slain in his automobile near Pocomoke City on September 17, may be served "within the next six days," it was officially announced from the office of State's Attorney Thomas F. Johnson, at Snow Hill today (Thursday).

Reports that the murder warrant had already been issued and was being hld in abeyance by officials, could not be confirmed.

Refusing to disclose the identity of the man to be arrested, officials commented only that "the man we shall arrest for Blades' murder is now out of the State of Maryland."

They were silent to queries as to whether the "man in question" was a resident of Maryland or some other State, or was white or negro.

"We are entertaining a strong theory that Blades was murdered over bootleg liquor in reprisal for his alleged interference or alleged activities," it was disclosed.

Notice To Creditors

REAL ESTATE ONLY

This is to give notice, That the subscriber has obtained from the Orphans' Court of Kent County Ancillary letters of administration d. b. n.— c. t. a., on the estate of

FLORENCE J. ROBINSON

late of said county, deceased. All persons having claims gaainst said deceased are hereby warned to file in said Court their claim against said decedent, with the vouchers thereof legally authenticated, on or before the 2nd day of April, 1938, they may otherwise, by law, be excluded from all benefit of said estate. All persons indebted to said estate are requested to make immediate payment.

Given under my hand this 28th day of September, 1937.

STEPHEN R. COLLINS,
Ancillary Administrator d. b. n. c. t. a.
T. Ringgold Jones, Register of Wills.

PUBLIC GENERAL LAWS

The following Public General Laws, enacted by the 1937 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 30

AN ACT to repeal and re-enact, with amendments, Section 187B of Article 56 of the Annotated Code of Maryland (1935 Supplement), title "Licenses", sub-title "Motor Vehicles", sub-heading "Liability—When Operator and/or Owner Required to Give Security For", providing that discharge in bankruptcy or under insolvency proceedings shall not relieve the operator or chauffeur and/or owner from the obligation to satisfy a judgment for damages on account of personal injuries or to property before having his license renewed or his certificate of registration restored.

Section 1. Be it enacted by the General Assembly of Maryland, That Section 187B of Article 56 of the Annotated Code of Maryland (1935 Supplement), title "Licenses", sub-title "Motor Vehicles", sub-heading "Liability—When Operator and/or Owner Required to Give Security For", be and it is hereby repealed and re-enacted, with amendments, to read as follows:

187B. The operator's and/or chauffeur's license and all of the registration certificates of any person, in the event of his failure within thirty (30) days thereafter, to satisfy any judgment which shall have become final, by expiration without appeal of the time within which appeal might have been perfected or by final affirmance on appeal, rendered against him by a court of competent jurisdiction in this State or in any other State or the District of Columbia, or in any District Court of the United States, or by a court of competent jurisdiction in any Province of the Dominion of Canada, for damages on account of personal injury, including death, or damage to property in excess of fifty dollars ($50.00) resulting from the ownership, maintenance, use or operation hereafter of a motor vehicle shall be forthwith suspended by the Commissioner upon receiving a certified copy or transcript of such final judgment from the court in which the same was rendered showing such judgment or judgments to have been still unsatisfied more than thirty (30) days after the same became final, as aforesaid, and shall remain so suspended and shall not be renewed, nor shall any motor vehicle be thereafter registered in his name while any such judgment remains unstayed, unsatisfied and subsisting and until every such judgment is satisfied or discharged and until the said person gives proof of his ability to respond in damages as required in Section 187A hereof, for future accidents and discharge in bankruptcy or under insolvency proceedings shall not relieve such person, operator or chauffeur from the obligation to satisfy such judgment before having his license renewed or his certificate of registration restored. It shall be the duty of the clerk of the court, or of the court where it has no clerk, in which any such judgment is rendered, to forward immediately after the expiration of said thirty (30) days, as aforesaid, upon request of the judgment creditor, to the Commissioner a certified copy of such judgment or a transcript thereof, as aforesaid. In the event the defendant is a non-resident, it shall be the duty of the Commissioner to transmit to the Commissioner of Motor Vehicles or officer in charge of the issuance of operators' permits and registration certificates of the State or Province of which the defendant is a resident, a certified copy of the said judgment. If after such proof has been given, any other such judgment shall be recovered against such person for an accident occurring before such proof was given, but after January 1, 1932, such license or licenses and certificate or certificates shall again be and remain so suspended, and no other such license or certificate shall be issued to such person while any such judgment remains unsatisfied and subsisting, as aforesaid.

Provided, however, anything in this sub-title to the contrary notwithstanding, that

(1) When $5,000 has been credited upon any judgment or judgments rendered in excess of that amount for personal injury to or the death of one person as the result of any one accident; or

(2) When, subject to the limit of $5,000 for any one person so injured or killed, the sum of $10,000 has been credited upon any judgment or judgments rendered in excess of that amount for personal injury to or the death of more than one person as the result of any one accident; or

(3) When $1,000 has been credited upon any judgment or judgments in excess of that amount for damage to property as the result of any one accident; resulting from the ownership, maintenance, use or operation of a motor vehicle, then and in such event, such payment or payments shall be deemed a satisfaction of such judgment or judgments for the purpose of this section only.

And provided, further, that a judgment debtor to whom this section applies may, for the sole purpose of giving authority to the Commissioner to authorize the judgment debtor to operate a motor vehicle thereafter, on due notice to the judgment creditor, apply to the court in which the trial judgment was obtained for the privilege of paying such judgment in installments, and the court, in its discretion and without prejudice to any other legal remedies which the judgment creditor may have, may so order, fixing the amounts and times of payment of the installments. While the judgment debtor is not in default in payment of such installments, the Commissioner, upon his giving proof of ability to respond in damages for future accidents, as hereinbefore provided, may, in his discretion, restore or refrain from suspending his license and/or registration certificate or certificates; but such license and/or certificate or certificates shall be suspended as hereinbefore provided if and when the Commissioner is satisfied that the judgment debtor has failed to comply with the terms of the court order.

If any such motor vehicle owner or operator shall not be a resident of this State, the privilege of operating any motor vehicle in this State and the privilege of operation within the State of any motor vehicle owned by him shall be withdrawn while any final judgment against him as aforesaid, shall be unstayed, unsatisfied and subsisting for more than thirty (30) days, as aforesaid, and shall not be renewed, nor shall any operator's or chauffeur's license be issued to him or any motor vehicle registered in his name until every such judgment shall be stayed, satisfied or discharged as herein provided, and until such person shall have given proof of his ability to respond in damages for future accidents, as required in Section 187A hereof.

Sec. 2. And be it further enacted, That this Act shall take effect on June 1, 1937.

Approved: May 18, 1937.

CHAPTER 64

AN ACT to repeal and re-enact with amendments Section 13 of Article 78B of the Annotated Code of Maryland (1935 Supplement), title "Racing Commission", as the same was repealed and re-enacted by Chapter 136 of the Acts of the General Assembly of Maryland at its Special Session held in 1936; providing that the Harford County Fair Association, Inc.; the Southern Maryland Agricultural Fair Association of Prince George's County, and the Maryland State Fair and Agricultural Society of Baltimore County, may each conduct one race meet each year for a period of ten days instead of five days as now allowed; providing for minimum premiums of Five Thousand Dollars ($5000.00) for agricultural exhibits; providing for a tax of 1% on all monies bet on races in excess of Five Hundred Thousand Dollars ($500,000.00), a license fee and tax of 5% of the net revenue and for the allocation of said taxes.

Section 1. Be it enacted by the General Assembly of Maryland, That Section 13 of Article 78B of the Annotated Code of Maryland (1935 Supplement), title "Racing Commission", as the same was repealed and re-enacted by Chapter 136 of the Acts of the General Assembly of Maryland, at its Special Session held in 1936, be and the same is hereby repealed and re-enacted with amendments to read as follows:

13. In addition to licensing racing as hereinbefore provided, the following organizations shall each be licensed by the Racing Commission to conduct a race meeting or meetings with betting privileges, not to exceed ten days for any one organization in any year, provided such meetings are held in connection with or for the benefit of bona fide County Fairs or Agricultural Exhibitions and are held in compliance with all the provisions of this section: Agricultural and Mechanical Association of Washington County; Cumberland Fair Association, Inc.; Pocomoke Agricultural Fair Association, Inc.; Harford County Fair Association, Inc.; Southern Maryland Agricultural Fair Association of Prince George's County; and Maryland State Fair and Agricultural Society of Baltimore County.

Each licensee under the provisions of this section shall pay to the County Treasurer of the County in which such fair or exhibit is held a fee of Fifty Dollars ($50.00) for each day of said meeting, to be deposited to the credit of said County.

Each licensee licensed under the provisions of this section must annually provide and set aside the sum of Five Thousand Dollars ($5000.00) in premiums for bona fide live stock and agricultural exhibits. In the event that any part of the said sum of Five Thousand Dollars ($5,000.00) is not claimed by exhibitors of live stock and agricultural exhibits then such unexpended balance shall be paid to the Comptroller and by him deposited in the same fund and distributed in the same manner as provided in the following paragraph.

In addition to all fees, premiums, taxes or other sums imposed by law, each licensee under the provisions of this section shall pay to the Comptroller within five days after the close of the last meeting held each season, a tax at the rate of 1% on all money wagered on all races during said season above the sum of Five Hundred Thousand Dollars ($500,000.00), the intention of this Act being that all money wagered up to and including Five Hundred Thousand Dollars ($500,000.00) with any one organization during any one season shall be exempt from the provisions of said tax. In addition to all other license fees and taxes hereinbefore or elsewhere provided for, every such licensee shall pay to the Commission an additional license fee or tax of 5% of the net revenue, as shown in a sworn statement to be submitted to and approved by the Commission, and for this purpose, the said Commission shall have all the powers relative to the production or auditing of books as provided in Section 11 of this Article. The funds derived from the above taxes, together with any amount from unclaimed premiums as set forth in the preceding paragraph, shall be placed in a special fund by the Comptroller to be used for the purpose of conducting such competitive agricultural exhibitions as may be provided by law, and any balance remaining unexpended in said special fund at the end of the fiscal year following the one in which it is collected shall be transferred by the Comptroller to the general fund of the State of Maryland.

All licensees under this section shall keep books and accounts of all money bet and premiums paid, together with all other receipts and expenditures. Said books and accounts shall be at all times open to inspection by the representatives of the Racing Commission, and to audit by the State Auditor.

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 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 24, 1937.

CHAPTER 68

AN ACT to repeal and re-enact, with amendments, Section 193A of Article 56 of the 1935 Supplement, Annotated Code of Maryland, title "Licenses", sub-title "Motor Vehicles", requiring the use of safety glass in motor vehicles.

Section 1. Be it enacted by the General Assembly of Maryland, That Section 193A of Article 56 of the 1935 Supplement, Annotated Code of Maryland, title "Licenses", sub-title "Motor Vehicles", be and the same is hereby repealed and re-enacted, with amendments, so as to read as follows:

193A. (1) It shall be unlawful after June first, nineteen hundred thirty-seven, to operate on any highway in this State any motor vehicle manufactured or assembled after said date, designed or used for the purpose of carrying passengers for hire or as a school bus, unless such vehicle be equipped with safety glass wherever glass is used in said motor vehicle in doors, windows, windshields and wings.

(2) It shall be unlawful after June first, nineteen hundred thirty-seven, to operate on any highway in this State any motor vehicle manufactured or assembled after said date and registered in this State, unless such vehicle be equipped with safety glass wherever glass is used in said motor vehicle in doors, windows, windshields and wings.

(3) It shall be unlawful after June first, nineteen hundred thirty-seven, to sell any motor vehicle manufactured or assembled after said date, registered or intended to be registerd in this State and operated or intended to be operated on any highway in this State, unless such vehicle be equipped with safety glass wherever glass is used in said motor vehicle in doors, windows, windshields and wings, and every sale in violation of this provision shall constitute a separate offense.

(4) It shall be unlawful after June first, nineteen hundred thirty-seven, for the owner of any motor vehicle to have broken glass in the windshields thereof replaced with any glass other than safety glass, it shall be unlawful after said date for the owner of any motor vehicle to have safety glass, broken or otherwise, in doors, windows or wings of said motor vehicle replaced with any glass other than safety glass and it shall be unlawful after said date for any person to install in the doors, windows, windshields and wings of any motor vehicle any glass other than such glass as is required by this Sub-section (4).

(5) The Commissioner of Motor Vehicles shall compile, maintain and publish a list of types of glass by name approved by him as conforming to the specifications and requirements for safety glass as hereinafter set forth and defined in Sub-section (7) of this Section 193A and shall not register any motor vehicle which is subject to the provisions of this Section 193A unless such motor vehicle is equipped as herein provided with an approved type of safety glass and shall suspend the registration of any motor vehicle so subject to this Section 193A which the Commissioner of Motor Vehicles shall find is not so equipped until it is made to conform to the requirements of this Section 193A.

(6) The owner and operator of any motor vehicle operated in violation of the provisions of Sub-sections (1) and (2) of this Section 193A, any person selling any motor vehicle in violation of the provisions of Sub-section (3) of this Section 193A, and any person having glass replaced and any person installing glass in any motor vehicle in violation of the provisions of Sub-section (4) of this Section 193A shall be guilty of a misdemeanor and upon conviction shall be punishable by a fine of Five Dollars ($5) to Fifty Dollars ($50), or by imprisonment not to exceed one (1) year, or by both. In case of the violation of any provision or provisions of this Section 193A by any common carrier or person operating under a permit issued by the Public Service Commission of Maryland, said permit shall either be revoked, or, in the discretion of said Commission, suspended until said provision or provisions are complied with to the satisfaction of said Commission.

(7) The term "safety" glass, as used in this Section 193A shall be construed to mean and include any product composed of glass, so manufactured, fabricated or treated as substantially to prevent shattering and flying of the glass when struck or broken. The word "person", as used in this Section 193A, shall mean and include natural persons, associations, partnerships and corporations.

Sec. 2. And be it further enacted, That this Act shall take effect June 1, 1937.

Approved: April 26, 1937.

CHAPTER 123

AN ACT to add six new sections to Article 27 of the Annotated Code of Maryland (1935 Supplement), title "Crimes and Punishments", sub-title "Jurisdiction, Procedure and Sentence", sub-title "Jurisdiction", said new sections to be known as Sections 549B, 549C, 549D, 549E, 549F and 549G, to follow immediately after Section 549A of said Article, to make uniform the law on fresh pursuit, and authorizing this State to cooperate with other States therein.

Section 1. Be it enacted by the General Assembly of Maryland, That six new sections be, and the same are hereby added to Article 27 of the Annotated Code of Maryland (1935 Supplement), title "Crimes and Punishments", sub-title "Jurisdiction, Procedure and Sentence", sub-title "Jurisdiction", said new sections to be known as Sections 549B, 549C, 549D, 549E, 549F and 549G, to follow immediately after Section 549A of said Article, so as to read as follows:

549B. Any member of a duly organized State, county or municipal peace unit of another State of the United States who enters this State in fresh pursuit, and continues within this State in such fresh pursuit, of a person in order to arrest him on the ground that he is believed to have committed a felony in such other State, shall have the same authority to arrest and hold such person in custody, as has any member of any duly organized State, county or municipal peace unit of this State, to arrest and hold in custody a person on the ground that he is believed to have committed a felony in this State.

549C. If an arrest is made in this State by an officer of another State in accordance with the provisions of Section 549B of this Act, he shall without unnecessary delay take the person arrested before a Justice of the Peace of the county or the City of Baltimore, in which the arrest was made, who shall conduct a hearing for the purpose of determining the lawfulness of the arrest. If the Justice of the Peace determines that the arrest was lawful he shall commit the person arrested to await for a reasonable time the issuance of an extradition warrant by the Governor of this State. If the Justice of the Peace determines that the arrest was unlawful he shall discharge the person arrested.

549D. Section 549B of this Act shall not be construed so as to make unlawful any arrest in this State which would otherwise be lawful.

549E. For the purpose of this Act the word "State" shall include the District of Columbia.

549F. The term "fresh pursuit" as used in this Act shall include fresh pursuit as defined by the common law, and also the pursuit of a person who has committed a felony or who is reasonably suspected of having committed a felony. It shall also include the pursuit of a person suspected of having committed a supposed felony, though no felony has actually been committed, if there is reasonable ground for believing that a felony has been committed. Fresh pursuit as used herein shall not necessarily imply instant pursuit, but pursuit without unreasonable delay.

549G. Upon the passage and approval by the Governor of this Act it shall be the duty of the Secretary of State to certify a copy of this Act to the Executive Department of each of the States of the United States.

Sec. 2. And be it further enacted, That if any part of this Act is for any reason declared void, it is declared to be the intent of this Act that such invalidity shall not affect the validity of the remaining portions of this Act.

Sec. 3. And be it further enacted, That this Act may be cited as the Uniform Act on Fresh Pursuit.

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 safety, and, being passed upon a yea and nay vote, supported by three-fifths of all members elected to each of the two Houses of the General Assembly, the same shall take effect from the date of its passage.

Approved: May 18, 1937.

CHAPTER 125

AN ACT to add a new Section to Article 41 of the Annotated Code of Maryland (1935 Supplement), title "Governor—Executive and Administrative Departments", sub-title "Parole Commissioner", said new Section to be known as Section 56, and to follow immediately after Section 55 of said Article, providing that the State of Maryland may enter into a compact with any of the United States for mutual helpfulness in relation to persons convicted of crime or offenses who may be on probation or parole.

Section 1. Be it enacted by the General Assembly of Maryland, That a new section be, and the same is hereby added to Article 41 of the Annotated Code of Maryland (1935 Supplement), title "Governor—Executive and Administrative Departments", sub-title "Parole Commissioner", said new section to be known as Section 56, to follow immediately after Section 55 of said Article, and to read as follows:

56. The Governor of this State is hereby authorized and directed to execute a compact on behalf of the State of Maryland, with any of the United States legally joining therein in the form substantially as follows:

A COMPACT

Entered into by and among the contracting States, signatories hereto, with the consent of the Congress of the United States of America, granted by an Act entitled "An Act Granting the Consent of Congress to any two or more States to enter into Agreements or Compacts for Cooperative Effort and Mutual Assistance in the Prevention of Crime and for Other Purposes".

The Contracting States Solemnly Agree:

(1) That it shall be competent for the duly constituted judicial and administrative authorities of a State party to this compact (herein called "sending State"), to permit any person convicted of an offense within such State and placed on probation or released on parole to reside in any other State party to this compact (herein called "receiving State"), while on probation or parole, if

(a) Such person is in fact a resident of or has his family residing within the receiving State and can obtain employment there;

(b) Though not a resident of the receiving State and not having his family residing there, the receiving State consents to such person being sent there.

Before granting such permission, opportunity shall be granted to the receiving State to investigate the home and prospective employment of such person.

A resident of the receiving State, within the meaning of this section, is one who has been an actual inhabitant of such State continuously for more than one year prior to his coming to the sending State and has not resided within the sending State more than six continuous months immediately preceding the commission of the offense for which he has been convicted.

(2) That each receiving State will assume the duties of visitation of and supervision over probationers or parolees of any sending State and in the exercise of those duties will be governed by the same standards that prevail for its own probationers and parolees.

(3) That duly accredited officers of a sending State may at all times enter a receiving State and there apprehend and retake any person on probation or parole. For that purpose no formalities will be required other than establishing the authority of the officer and the identity of the person to be retaken. All legal requirements to obtain extradition of fugitives from justice are hereby expressly waived on the part of States party hereto, as to such persons. The decision of the sending State to retake a person on probation or parole shall be conclusive upon and not reviewable within the receiving State: Provided, however, that if at the time when a State seeks to retake a probationer or parolee there should be pending against him within the receiving State any criminal charge, or he should be suspected of having committed within such State a criminal offense, he shall not be retaken without the consent of the receiving State until discharged from prosecution or from imprisonment for such offense.

(4) That the duly accredited officers of the sending State will be permitted to transport prisoners being retaken through any and all States parties to this compact, without interference.

(5) Upon request of the Governor of one State may designate an officer who, acting jointly with like officers of other contracting States, if and when appointed, shall promulgate such rules and regulations as they may be deemed necessary to more effectively carry out the terms of this compact.

(6) That this compact shall become operative immediately upon its execution by any State as between it and any other State or States so executing. When executed it shall have the full force and effect of law within such State, the form of execution to be in accordance with the laws of the executing State.

(7) That this compact shall continue in force and remain binding upon each executing State until renounced by it. The action and conduct of any duly organized State shall continue as to parolees or probationers residing therein at the time of withdrawal until retaken or finally discharged by the sending State. Renunciation of this compact shall be by the same authority which executed it, by sending six months' notice in writing of its intention to withdraw from the compact to the other States party hereto.

Sec. 2. And be it further enacted, That if any section, sentence, subdivision or clause of this Act is for any reason held invalid or to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act.

Sec. 3. And be it further enacted, That this Act may be cited as the Uniform Act for Out-of-State Parolee Supervision.

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 safety, and, being passed upon a yea and nay vote, supported by three-fifths of 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: May 18, 1937.

CHAPTER 135

AN ACT to add a new section to Article 25 of the Annotated Code of Maryland (1924 Edition), title "County Commissioners", sub-title "General Provisions", said new section to be known as Section 2A, and to follow immediately after Section 2 of said Article, authorizing the County Commissioners of the several counties and the legislative bodies of the several incorporated cities and towns in the State to establish and/or maintain reasonable facilities for public recreation.

Section 1. Be It enacted by the General Assembly of Maryland, That a new section be and it is hereby added to Article 25 of the Annotated Code of Maryland (1924 Edition), title "County Commissioners", sub-title "General Provisions", said new section to be known as Section 2A, to follow immediately after Section 2 of said Article, and to read as follows:

2A. The County Commissioners of each County and the legislative body of each incorporated city or town in the State shall have full power and authority to establish and/or maintain, directly or by contract, reasonable facilities for the public recreation.

Sec. 2. And be it further enacted, That this Act shall take effect June 1, 1937.

Approved: April 15, 1937.

CHAPTER 179

AN ACT to add twenty-seven new Sections to Article 41 of the Annotated Code of Maryland (1924 Edition), title "Governor—Executive and Administrative Departments", sub-title "1. The Executive Department", said new Sections to be known as Sections 13A, 13B, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, 13K, 13L, 13M, 13N, 13O, 13P, 13Q, 13R, 13S, 13T, 13U, 13V, 13W, 13X, 13Y, 13Z, and 13ZZ, and to follow immediately after Section 13 of said Article, to make uniform the procedure on Interstate extradition.

Section 1. Be it enacted by the General Assembly of Maryland, That twenty-seven new Sections be, and the same are hereby added to Article 41 of the Annotated Code of Maryland (1924 Edition), title "Governor—Executive and Administrative Departments", said new Sections to be known as Sections 13A, 13B, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, 13K, 13L, 13M, 13N, 13O, 13P, 13Q, 13R, 13S, 13T, 13U, 13V, 13W, 13X, 13Y, 13Z and 13ZZ, to follow immediately after Section 13 of said Article, and to read as follows:

13A. Definitions. The term "Executive Authority" includes the Governor, and any person performing the functions of Governor in a State other than this State. The term "State", referring to a State other than this State, includes any other State or territory of the United States of America.

13B. Fugitives from Justice; Duty of Governor. Subject to the provisions of this Act, the provisions of the Constitution of the United States controlling, and any and all acts of Congress enacted in pursuance thereof, it is the duty of the Governor of this State to have arrested and delivered up to the executive authority of any other State of the United States any person charged in that State with treason, felony, or other crime, who has fled from justice and is found in this State.

13C. Form of Demand. No demand for the extradition of a person charged with crime in another State shall be recognized by the Governor unless in writing alleging, except in cases arising under Section 13F, that the accused was present in the demanding State at the time of the commission of the alleged crime, and that thereafter he fled from the State, and accompanied by a copy of an indictment found or by information supported by affidavit in the State having jurisdiction of the crime, or by a copy of an affidavit made before a Justice of the Peace or Magistrate there, together with a copy of any warrant which was issued thereupon; or by a copy of a judgment of conviction or of a sentence imposed in execution thereof, together with a statement by the Executive Authority of the demanding State that the person claimed has escaped from confinement or has broken the terms of his bail, probation or parole. The indictment, information, or affidavit made before the magistrate or Justice of the Peace must substantially charge the person demanded with having committed a crime under the law of that State; and the copy of indictment, information, affidavit, judgment of conviction or sentence must be authenticated by the Executive Authority making the demand.

13D. Governor May Investigate Case. When a demand shall be made upon the Governor of this State by the Executive Authority of another State for the surrender of a person so charged with crime, the Governor may call upon the Attorney General or any prosecuting officer in this State to investigate or assist in investigating the demand, and to report to him the situation and circumstances of the person so demanded, and whether he ought to be surrendered.

13E. Extradition of Persons Imprisoned or Awaiting Trial in Another State or Who Have Left the Demanding State Under Compulsion. When it is desired to have returned to this State a person charged in this State with a crime, and such person is imprisoned or is held under criminal proceedings then pending against him in another State, the Governor of this State may agree with the Executive Authority of such other State for the extradition of such person before the conclusion of such proceedings or his term of sentence in such other State, upon condition that such person be returned to such other State at the expense of this State as soon as the prosecution in this State is terminated.

The Governor of this State may also surrender on demand of the Executive Authority of any other State any person in this State who is charged in the manner provided in Section 13F of this Act with having violated the laws of the State whose Executive Authority is making the demand, even though such person left the demanding State involuntarily.

13F. Extradition of Persons Not Present in Demanding State at Time of Commission of Crime. The Governor of this State may also surrender, on demand of the Executive Authority of any other State, any person in this State charged in such other State in the manner provided in Section 13C with committing an act in this State, or in a third State, intentionally resulting in a crime in the State whose Executive Authority is making the demand, and the provisions of this Act not otherwise inconsistent, shall apply to such cases, even though the accused was not in that State at the time of the commission of the crime, and has not fled therefrom.

13G. Issue of Governor's Warrant of Arrest; Its Recitals. If the Governor decides that the demand should be complied with, he shall sign a warrant of arrest, which shall be sealed with the State seal, and be directed to any peace officer or other person whom he may think fit to entrust with the execution thereof. The warrant must substantially recite the facts necessary to the validity of its issuance.

13H. Manner and Place of Execution. Such warrant shall authorize the peace officer or other person to whom directed to arrest the accused at any time and any place where he may be found within the State and to command the aid of all peace officers or other persons in the execution of the warrant, and to deliver the accused, subject to the provisions of this Act to the duly authorized agent of the demanding State.

13I. Authority of Arresting Officer. Every such peace officer or other person empowered to make the arrest, shall have the same authority, in arresting the accused, as constables have when in the execution of any criminal process directed to them, with like penalties against those who refuse their assistance.

13J. Rights of Accused Person; Application for Writ of Habeas Corpus. No person arrested upon such warrant shall be delivered over to the agent whom the Executive Authority demanding him shall have appointed to receive him unless he shall be first taken forthwith before a judge of a court of record in this State, who shall inform him of the demand made for his surrender and of the crime with which he is charged, and that he has the right to demand and procure legal counsel; and if the prisoner or his counsel shall state that he or they desire to test the legality of his arrest, the judge of such court of record shall fix a reasonable time to be allowed him within which to apply for a writ of habeas corpus. When such writ is applied for, notice thereof, and of the time and place of hearing thereon, shall be given to the prosecuting officer of the county or the City of Baltimore in which the arrest is made, and in such case he must be in custody, and to the said agent of the demanding State.

13K. Penalty for Non-Compliance with Preceding Section. Any officer who shall deliver to the agent for extradition of the demanding State a person in his custody under the Governor's warrant, in wilful disobedience to the last section, shall be guilty of a misdemeanor and, on conviction, shall be subject to a fine of not more than $1,000.00, or be imprisoned not more than six months, or both, the trial of said case to be conducted in the Circuit Court of the County, or in the Criminal Court of Baltimore City, wherever the offense shall have been committed.

13L. Confinement in Jail When Necessary. The officer or persons executing the Governor's warrant of arrest, or the agent of the demanding State to whom the prisoner may have been delivered, may, when necessary, confine the prisoner in the jail of any county or city through which he may pass; and the keeper of such jail must receive and safely keep the prisoner until the officer or person having charge of him is ready to proceed on his route, such officer or person being chargeable with the expense of keeping.

The officer or agent of a demanding State to whom a prisoner may have been delivered following extradition proceedings in another State, or to whom a prisoner may have been delivered after waiving extradition in such other State, and who is passing through this State with such a prisoner for the purpose of immediately returning such prisoner to the demanding State may, when necessary, confine the prisoner in the jail of any county or city through which he may pass; and the keeper of such jail must receive and safely keep the prisoner until the officer or agent having charge of him is ready to proceed on his route, such officer or agent, however, being chargeable with the expense of keeping; provided, however, that such officer or agent shall produce and show to the keeper of such jail satisfactory written evidence of the fact that he is actually transporting such prisoner to the demanding State after a requisition by the Executive Authority of such demanding State. Such prisoner shall not be entitled to demand a new requisition while in this State.

13M. Arrest Prior to Requisition. Whenever any person within this State shall be charged on the oath of any credible person before any Judge or Justice of the Peace of this State with the Commission of any crime in any other State and, except in cases arising under Section 13F, with having fled from Justice, or with having been convicted of a crime in that State and having escaped from confinement, or having broken the terms of his bail, probation or parole, or whenever complaint shall have been made before any judge or Justice of the Peace in this State setting forth on the affidavit of any credible person in another State that a crime has been committed in such other State and that the accused has been charged in such State with the commission of the crime, and, except in cases arising under Section 13F, has fled from justice, or with having been convicted of a crime in that State and having escaped from confinement, or having broken the terms of his bail, probation or parole, and is believed to be in this State, the judge or Justice of the Peace shall issue a warrant directed to any peace officer commanding him to apprehend the person named therein, wherever he may be found in this State, and to bring him before the same or any other judge, Justice of the Peace or court who or which may be available in or convenient of access to the place where the arrest may be made, to answer the charge or complaint and affidavit, and a certified copy of the sworn charge or complaint and affidavit upon which the warrent is issued shall be attached to the warrant.

13N. Commitment to Await Requisition; Bail. If from the examination before the judge or Justice of the Peace it appears that the person held is the person charged with having committed the crime alleged and, except in cases arising under Section 13F, that he has fled from justice, the judge or Justice of the Peace must, by a warrant reciting the accusation, commit him to the county jail for such a time not exceeding thirty days and specified in the warrant, as will enable the arrest of the accused to be made under a warrant of the Governor on a requisition of the Executive Authority of the State having jurisdiction of the offense, unless the accused give bail as provided in the next section, or until he shall be legally discharged.

13O. Bail; in What Cases; Conditions of Bond. Unless the offense with which the prisoner is charged is shown to be an offense punishable by death or life imprisonment under the laws of the State in which it was committed, a judge or Justice of the Peace in this State may admit the person arrested to bail by bond, with sufficient sureties, and in such sum as he deems proper, conditioned for his appearance before him at a time specified in such bond, and for his surrender, to be arrested upon the warrant of the Governor of this State.

13P. Extension of Time of Commitment. Adjournment. If the accused is not arrested under warrant of the Governor by the expiration of the time specified in the warrant or bond, a judge or Justice of the Peace may discharge him or may recommit him for a further period not to exceed sixty days, or a judge or Justice of the Peace may again take bail for his appearance and surrender, as provided in Section 13O, but within a period not to exceed sixty days after the date of such new bond.

13Q. Forfeiture of Bail. If the prisoner is admitted to bail, and fails to appear and surrender himself according to the conditions of his bond, the judge or Justice of the Peace by proper order, shall declare the bond forfeited and order his immediate arrest without warrant if he be within this State. Recovery may be had on such bond in the name of the State as in the case of other bonds given by the accused in criminal proceedings within this State.

13R. Persons Under Criminal Prosecution in This State at Time of Requisition. If a criminal prosecution has been instituted against such person under the laws of this State and is still pending, the Governor, in his discretion, either may surrender him on demand of the Executive authority of another State or hold him until he has been tried and discharged or convicted and punished in this State.

13S. Guilt or Innocence of Accused, When Inquired Into. The guilt or innocence of the accused as to the crime of which he is charged may not be inquired into by the Governor or in any proceeding after the demand for extradition accompanied by a charge of crime in legal form as above provided shall have been presented to the Governor, except as it may be involved in identifying the person held as the person charged with the crime.

13T. Governor May Recall Warrant. The Governor may recall his warrant of arrest or may issue another warrant whenever he deems proper.

13U. Fugitives from This State; Duty of Governor. Whenever the Governor of this State shall demand a person charged with crime or with escaping from confinement or breaking the terms of his bail, probation or parole in this State, from the Executive Authority of any other State, or from the chief justice or an associate justice of the Supreme Court of the District of Columbia authorized to receive such demand under the laws of the United States, he shall issue a warrant under the seal of this State, to some agent, commanding him to receive the person so charged if delivered to him and convey him to the proper officer of the county in this State or the City of Baltimore, in which the offense was committed.

13V. Application for Issuance of Requisition; by Whom Made; Contents.

I. When the return to this State of a person charged with crime in this State is required, the State's Attorney of the County or the City of Baltimore, as the case may be, shall present to the Governor his written application for a requisition for the return of the person charged, in which application shall be stated the name of the person so charged, the crime charged against him, the approximate time, place and circumstances of its commission, the State in which he is believed to be, including the location of the accused therein, at the time the application is made and certifying that, in the opinion of the said prosecuting attorneys the ends of justice require the arrest and return of the accused to this State for trial and that the proceeding is not instituted to enforce a private claim.

II. When the return to this State is required of a person who has been convicted of a crime in this State and has escaped from confinement or broken the terms of his bail, probation or parole, the State's Attorney of the county or the City of Baltimore, in which the offense was committed, the parole commission, or the warden of the institution or sheriff of the county, from which escape was made, shall present to the Governor a written application for a requisition for the return of such person, in which application shall be stated the name of the person, the crime of which he was convicted, the circumstances of his escape from confinement or of the breach of the terms of his bail, probation or parole, the State in which he is believed to be, including the location of the person therein at the time application is made.

III. The application shall be verified by affidavit, shall be executed in duplicate and shall be accompanied by two certified copies of the indictment returned, or information and affidavit filed, or of the complaint made to the judge or Justice of the Peace, stating the offense with which the accused is charged, or of the judgment of conviction or of the sentence. The prosecuting officer, parole board, warden or sheriff may also attach such