PUBLIC GENERAL LAWS

The following 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 Mary-

CHAPTER 30

AN ACT to repeal and re-enact, with amendments, Section 187B of Article 56 of the Annotated Code of Maryland nb-title "Motor Vehicles", sub-head ing "Liability-When Operator and/or Owner Required to Give Security providing that discharge 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.

Be it enacted by the General Assembly of Maryland, That Section 187B of Article 56 of the Annotate. 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"Motor Vehicles", sub-heading "Liability-When Operator and/or Owner Required to Give Security For", be and it is hereby repealed and re-enacted, with amendments, to read as follows: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 chaufteur's license and all of the registration certificates of any person, in the event of his failure within thirty (30) days hereafter, to satisfy any judgmen 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 furisdiction 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 lominion of Canada, for damages on ccount 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 copy or transcript of such final judgment from the court in which the same was rendered showing such judgment r judgments to have been still unsatisfled more than thirty (30) days after the became final, as aforesaid, and shall remain so suspended and shall not e 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 ereof, for future accidents and discharge in bankruptcy or under insolvency proceedings shall not relieve such operator or chauffeur from the obligation to satisfy such judgment before having his license renewed or his certificate of registration restored. shall be the duty of the clerk of the court, or of the court where it has no clerk, in which any such judgment i rendered, to forward immediately after the expiration of said thirty (30) days, ment creditor, to the Commissioner certified copy of such judgment or 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 of Province of which the defendant is resident, a certified copy of the said 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

Provided, however, anything in this sub-title to the contrary notwithstand-(1) When \$5,000 has been credited apon 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 acci-(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 amoun for personal injury to or the death more than one person as the result any-one accident; or (3) When \$1,000 has been credited

upon any judgment or judgments in ex-

cess of that amount for damage to

property as the result of any one acci-

dent: resulting from the ownership

maintenance, use or operation of a mo-

tor vehicle, then and in such event, such

payment or payments shall be deemed satisfaction of such judgment or adgments for the purpose of this sec-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 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 n 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 here-

inbefore provided if and when the Com-

missioner is satisfied that the judgment

* PUBLIC GENERAL LAWS

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 against him as aforesaid, shall be unstayed, unsatisfied and a sisting 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 unti 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

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 Marylan Supplement), title "Racing Commission", as the same was re pealed and re-enacted by Chapter 13 of the Acts of the General Assemb. Maryland at its Special Session held in 1936; providing that the Harford County Fair Association, Inc. the Southern Maryland Agricultura 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 Dollar (\$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 sam was repealed and re-enacted by Chapter 136 of the Acts of the General Assembl of Maryland, at its Special Session helin 1936, be and the same is hereby re pealed 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

the Racing Commission to conduct 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 Agricul tural Society of Baltimore County. Each licensee under the provisions of this section shall pay to the County Treasurer of the County in which suc fair or exhibit is held a fee of Fifty

Dollars (\$50.00) for each day of said meeting, to be deposited to the credit 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 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 Thousan Dollars (\$500,000,00), the intention 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 seasor shall be exempt from the provisions of said tax. In addition to all other li cense fees and taxes hereinbefore of elsewhere provided for, every such li censee 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

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 represents tives of the Racing Commission, and to audit by the State Auditor And be it further enacted, That this Act is hereby declared to be an emergency law and necessary for the 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.

remaining unexpended in said special

fund at the end of the fiscal year fol-

lowing the one in which it is collected

shall be transferred by the Comptroller

to the general fund of the State of

Approved: March 24, 1937. 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 ve-

Be it enacted by the Gen-

Section 1.

eral Assembly of Maryland, That Section 193A of Article 56 of the 1935 Supplement, Annetated Code of Maryland title "Licenses", sub-title "Motor Vehicles", be and the same is hereby repealed and re-enactd, with amendments so as to read as follows: 193A. (1) It shall be unlawful after June first, nineteen hundred thirtyseven, to operate on any highway this State a 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

PUBLIC GENERAL LAWS

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

(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 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 Subsection (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. case of the violation of any provision or provisions of this Section 193A by any common carrier or person operat ing 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, fabri cated 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, as-

Approved: April 26, 1937. CHAPTER 123 AN ACT to add six new sections Article 27 of the Annotated Code 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 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 An-

sociations, partnerships and corpora-

Sec. 2. And be it further enacted

That this Act shall take effect June 1,

notated Code of Maryland (1935 Supple ment), 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 549. 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 n such fresh pursuit, of a person in order to arrest him on the ground that he is believed to have committed a fel ony 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 sha 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 unlawfu any arrest in this State which would

the word "State" shall include the Dis-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 committeed 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. there is reasonable ground for believing that a felony has been committed. Fresh pursuit as used herein shall not necessarily imply instant pursuit, but purguit 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 reason declared void, it is declared the remaining portions of this Act. form Act on Fresh Pursuit.

549E. For the purpose of this Act

otherwise be lawful.

That if any part of this Act is for any be the intent of this Act that such invalidity shall not affect the validity Sec. 3. And be it further enacted. That this Act may be cited as the Uni-Sec. 4. And be it further enacted. That this Act is hereby declared to be an emergency law, and necessary for the mmediate 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 Comsaid 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: 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 Con-

PUBLIC GENERAL LAWS sent 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 pa-

(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 recelving State to investigate the home and prospective employment of such 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 preced ing 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 pa-

(3) That duly accredited officers 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 iden tity of the person to be retaken. A 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 reviewab within the receiving State: Provided however, that if at the time when a State seeks to retake a probationer 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) That the Governor of each State may designate an officer who, acting jointly with like officers of other con tracting States, if and when appointed shall promulgate such rules and regulations as may be deemed necessary more effectively carry out the terms of this compact. (6) That this compact shall become operative immediately upon its execu-

tion by any State as between it and any other State or States so executing When executed it shall have the ful force and effect of law within such State the form of execution to be in accord ance with the laws of the executing (7) That this compact shall continue in force and remain binding upon each executing State until renounced by i

The duties and obligations hereunder of a renouncing State shall continue as to parolees or probationers residing therein at the time of withdrawal unt 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, subdi vision or clause of this Act is for any reason held invalid or to be unconsti tutional, such decision shall not affect the validity of the remaining portions Sec. 3. And be it further enacted, Sec. 4. And be it further enacted

of this Act form Act for Out-of-State Parolee Su-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 threefifths 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 155 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 recrea-

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 Pro as Section 2A, to follow immediately after Section 2 of said Article, and to read as follows: 2A. The County Commissioners 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, d rectly or by contract, reasonable facilities for the public recreation. Sec. 2. And be it further enacted That this Act shall take effect June

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 "I The Executive Department", said new Sections to be known as Sections 13A 13D, 13E, 13F, 13G, 13H 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 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 effacted in pursuance thereof, it is the duty of the Governor of this State to

PUBLIC GENERAL LAWS 7

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 be 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 Author-

ity 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 prisoned or Awaiting Trial in Another State or Who Have Left the Demand ing State Under Compulsion. When 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 such other State for the extradition such person before the conclusion 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 13V of this Act with having violated the laws the State whose Executive Authority 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 13G. Issue of Governor's Warrant 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

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, to command assistance therein, as peace officers have by law in the execution of any criminal process directed to them, with like penalties against those who refuse their as-13J. Rights of Accused Person: Ap plication for Writ of Habeas Corpus

No person arrested upon such warrant shall be delivered over to the agent whom the Executive Authority demand ing him shall have appointed to receive him unless he shall be first taken forth with before a judge of a court of record in this State, who shall inform hin 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 o 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 which the accused is 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 com-13L. Confinement in Jail When Nec-

essary. 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 o 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 con-

victed of a crime in that State and hav-

PUBLIC GENERAL LAWS

ing 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 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, 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 rected to any peace officer commanding him to apprehend the person name 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 made, to answer the charge or complain and affidavit, and a certified copy the sworn charge or complaint and affi davit upon which the warrent is issued shall be attached to the warrant. 13N. Commitment to Await Requisi tion: 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 recit ing the accusation, commit him to the county jail for such a time not exceed ing thirty days and specified in the warrant, as will enable the arrest of the accused to be made under a warrant the Governor on a requisition of the Executive Authority of the State having jurisdiction of the offense, unless the

discharged. 130. 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. 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 o

accused give bail as provided in the

next section, or until he shall be legally

this State. 13P. Extension of Time of Commit ment, Adjournment. If the accused 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 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 130. 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 extra-

in legal form as above provided shall have been presented to the Governor except as it may be involved in identi fying 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 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 f 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 Requisition; by Whom Made: Contents. . 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 Gov-

ernor his written application for a

requisition for the return of the person

dition accompanied by a charge of crime

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 cerpresecuting attorneys the ends of jus tice 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 of the City of Baltimore, in which the offense was committed, the parole com mission, 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 dupli cate 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 further affidavits and other documents in duplicate as he shall deem proper to be submitted with such application. One copy of the application, with the action of the Governor indicated by endorsement thereon, and one of the certified copies of the indictment, complaint, information, and affidavits, or of the judgment of conviction or of the sentence shall be filed in the office of the Secretary of State, to remain of record in that office. The other copies of all papers shall be forwarded with the Governor's requisition. 13W. Immunity from Service of Process in Certain Civil Actions. person brought into this State by, or after waiver of, extradition based on a criminal charge shall not be subject to service of personal process in civil actions arising out of the same facts as the criminal proceedings to answer

which he is being or has been re-

the criminal proceeding, or, if acquitted,

until he has had reasonable opportunity

turned, until he has been convicted in

PUBLIC GENERAL LAWS

to return to the State from which he was extradited. 13X. Written Waiver of Extradition Proceedings. Any person arrested in this State charged with having committed any crime in another State or alleged to have escaped from confinement, or broken the terms of his bail, probation or parole, may waive the issuance and service of the warrant provided for in Sections 13G and 13H, and all other procedure incidental to extradition proceedings, by executing or subscribing in the presence of a judge of any court of record within this State a writing which states that he consents to return to the demanding State; provided, however, that before such waiver shall be executed or subscribed by such person it shall be the duty of such judge to inform such person of his rights to the issuance and service of a warrant of extradition and to obtain a writ of habeas corpus as provided for in Section 13J.

If and when such consent has been duly executed it shall forthwith be forwarded to the office of the Governor of this State and filed therein. judge shall direct the officer having such person in custody to deliver forthwith such person to the duly accredited agen or agents of the demanding State, and shall deliver or cause to be delivered to such agent or agents a copy of such consent; provided, however, that nothing in this Section shall be deemed to limit the right's of the accused person to return voluntarily and without formality to the demanding State, nor shall this waiver procedure be deemed to be an exclusive procedure or to limit the powers, rights or duties of the officers of the demanding State or of this State.

13Y. Non-Waiver by This State. Nothing in this Act contained shall be deemed to constitute a waiver by this State of its right, power or privilege to try such demanded person for crime committed within this State, or of its right, power or privilege to regain custody of such person by extradition pro ceedings or otherwise for the purpose of trial, sentence or punishment for any crime committed within this State, nor shall any proceedings had under this Act which result in, or fail to result in, extradition be deemed a waiver this State of any of its rights, privi-

leges or jurisdiction in any way what-13Z. No Right of Asylum. No Immunity from Other Criminal Prosecutions While in This State. After a person has been brought back to this State by, or after waiver of extradition proceedings, he may be tried in this State for other crimes which he may be charged with having committed here as well as that specified in the requisition for his extradition. 13ZZ. Interpretation. The provision of this Act shall be so interpreted and construed as to effectuate its general purposes to make uniform the law of those States which enact it Sec. 2. And be it further enacted That if any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Act which provision or application, and to this end the provisions of this Act are declared to be severable Sec. 3. And be it further enacted That all Acts and parts of Acts inconsistent with the provisions of this

Act and not expressly repealed herein are hereby repealed Sec. 4. And be it further enacted, That this Act may be cited as the Uniform Criminal Extradition Act. 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 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 189

AN ACT to repeal and re-enact with amendments Section 105A of Article 81 of the Annotated Code of Maryland (1935 Supplement), title "Revenue and Taxes", sub-title "Inheritance Tax", as said section was amended by Chapter 124 of the Acts of the Extraordinary Session of the General Assembly of Maryland exempting monies on deposit in the names of husband and wife from the inheritance tax. Section 1. Be it enacted by the Gen-

eral Assembly of Maryland, That Section 105A of Article 81 of the Annotated Code of Maryland (1935 Supplement) title "Revenue and Taxes", sub-title "Inheritance Tax", be and it is hereby repealed and re-enacted with amendments to read as follows: 105A. The taxes imposed by the two preceding sections of this sub-title shall apply to all tangible or intangible property, real or personal, passing either by will or under the interstate laws of this State, or by deed, gift, grant, bargain or sale, made in contemplation death, or intended to take effect in possession at or after the death of a decedent, including property in which the decedent, prior to his death, had an interest as joint tenant or tenant in common, and including property over which the decedent retained any dominion during his lifetime, except, however, any interest, legal or equitable o any surviving spouse in any free-share account in any building or homestead association or in any monies on deposi in the names of husband and wife passing to such surviving spouse. The reservation of a beneficial interest in favor of the decedent or of a power of revocation, absolute or conditional or of a power of appointment by will or otherwise, in or over any property passing subject to the tax imposed by this sub title, shall be deemed to constitute dominion within the meaning of this sec tion. In cases of joint tenancy, where the interests are not otherwise specified or fixed by law, the interest passing shall be determined by dividing the value of the property by the number of joint tenants. Provided, however, that any legacy or bequest to any person or body corporate, the value of which does not exceed one hundred dollars shall be exempt from the payment of any tax under the provisions of this Sec. 2. And be it further enacted That this Act shall take effect June 1,

Approved: May 18, 1937. CHAPTER 211 AN ACT to add seven new sections

Article 83 of the Annotated Code (1935 Supplement). "Sales and Notices", sub-title "Fair Trade Act", said new sections to l known as Sections 115 to 121, inclusive, and to follow immediately after Section 114 of said Article, making unlawful the unfair trade practice of selling goods at less than cost. Be it enacted by the General Assembly of Maryland, That seven new sections be and they are hereby added to Article 83 of the Annotate Code of Maryland (1935 Supplement) title "Sales and Notices", sub-title "Fair Trade Act", said new sections to be known as Sections 115 to 121, inclusive 114 of said Article and all to read as follows: 115. It shall be unlawful for any per-

son engaged in commerce, in the course of such commerce, to sell, offer for sale or advertise for sale any article, product or commodity at less than cost thereof to such vendor, or give, offer to give or advertise the intent to give away any article, product or commodity for the purpose of injuring competitors and destroying competition, or to advertise brands or types of goods they are not prepared to supply, provided, however, that nothing herein shall preclude any person, engaged in commerce, in the course of such commerce, from offering an article "Free", in combination with an article sold, but in any such case the cost of the "Free" article shall be considered as a part of the cost of the article sold. (a) For the purpose of this section the term "cost" as applied to produccost of raw materials, labor and all es applied to distribution, "cost" shall mean the invoice or replacement cost,

Here Is A Law That Tells You THE LAW OF COMMON SENSE - "A Fertilizer Is Good Only When

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.