SUPPLEMENT TO

KENT NEWS

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PUBLIC GENERAL LAWS.

[CHAPTER 1.]

AN ACT to add a new Section to Article 75 of the Code of Public General Laws, title "Pleading, Practice and Process at Law," sub-title "Continuance," to be designated Section 70-A.

Section 1. Be it enacted by the General Assembly of Maryland, That a new Section be, and the same is hereby, added to Article 75, Code of Public General Laws, title "Pleading, Practice and Process at Law," sub-title "Continuance," to be designated Section 70-A.

Section 70-A. When it shall appear that any attorney of record of any party to suit or proceeding at law or in equity is a member of the General Assembly of Marylanad, and the said General Assembly of Maryland shall then be in session, such suit or proceeding shall be continued from time to time until said General Assembly of Maryland shall have adjourned, unless such attorney shall upon the call of such suit or proceeding for trial waive the benefit of this Section.

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

Approved February 13, 1914.

[CHAPTER 23.]

AN ACT to repeal and re-enact with amendments Section 58 of Article 93 of Bagby's Annotated Code of Public Civil Laws of Maryland, title "Testamentary Law," sub-title "Administration by an Executor."

Whereas, among other things it is provided in Section 58 of Article 93 of Bagby's Annotated Code of Public Civil Laws of Maryland, that no married woman shall qualify as an executrix or as an administratrix unless her husband shall give bond for her faithful performance; and

Whereas, by Chapter 457 of the Acts of 1898, a married woman was given power to contract, engage in business, to sue and be sued, as fully as if she were unmarried, but no attempt was there made to repeal and re-enact said Section 58 of Article 93 requiring her husband to give bond in the event she acted as executrix or administratrix;

Section 1. Be it enacted by the General Assembly of Maryland, That Section 58 of Article 93 of Bagby's Annotated Code of the Public Civil Laws of Maryland, title "Testamentary Law," sub-title "Administration by an Executor," be and the same is hereby repealed and re-enacted so as to read as follows:

58. A married woman shall be entitled to letters testamentary or letters of administration in the same manner as if she were unmarried, and shall give bond with the same conditions annexed as herein provided in this Article for the bonds of executors and administrators, and the bond of any executrix or administratrix who is unmarried and eighteen years of age or over shall be binding in the same manner as if she were of the full age of twenty-one years.

Section 2. And be it further enacted, That this Act shall take effect from the date of its passage.

Approved February 24, 1914.

[CHAPTER 81.]

AN ACT to add one new Section to Article 27 of the Code of Public General laws of Maryland, title "Crimes and Punishments," sub-title, "Health—Workshops and Factories," to be known as Section 244-A, regulating the manufacture of cigars.

Section 1. Be it enacted by the General Assembly of Maryland, That one new Section be added to Article 27 of the Code of Public General Laws of Maryland, title "Crimes and Punishments," sub-title, "Health—Workshops and Factories," to be known as Section 244-A, and to read as follows:

Section 244-A. It shall be unlawful for any person, firm, corporation or association engaged in the manufacture of cigars to cause or permit any person, whether employee or member of such firm, corporation or association or other person to stand or sit on or upon any mould, form or press that may be used in the moulding, forming or pressing of cigars during the course or process of manufacture while such mould, form or press is being so used; and any such person, firm, corporation or association violating or causing to be violated the provisions of this Section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than five dollars ($5.00) for the first offense; and not more than fifty ($50.00) dollars for the second and each subsequent offense.

Section 2. And be it further enacted, That this Act shall take effect from the date of its passage.

Approved March 17, 1914.

[CHAPTER 146.]

AN ACT to repeal and re-enact with amendments Section 30 of Article 27 of the Code of Public General Laws of Maryland, title "Crimes and Punishments," sub-title "Concealed Weapons," as the same was re-enacted by Chapter 114 of the Acts of the General Assembly of Maryland of 1904, and to add two additional Sections to said Article 27 to follow said Section 30 and to be known and designated as Sections 30-A and 30-B.

Section 1. Be it enacted by the General Assembly of Maryland, That Section 30 of Article 27 of the Code of Public General Laws of Maryland, title "Crimes and Punishments," sub-title "Concealed Weapons," as re-enacted by Chapter 114 of the Acts of the General Assembly of Maryland of 1904, be and the same is hereby repealed and re-enacted with amendments, and that two additional Sections be and the same are hereby added to said Article 27 to follow said Section 30 and to be known and designated as Sections 30-A and 30-B, the said Section 30 so repealed and re-enacted with amendments and said additional Sections 30-A and 30-B respectively to read as follows:

30. Every person who shall wear or carry any pistol, dirk knife, bowie knife, slung shot, billy, sand club, metal knuckles, razor, or any other dangerous or deadly weapon of any kind whatsoever (pen knives excepted) concealed upon or about his person, and every person who shall wear or carry any such weapon openly with the intent or purpose of injuring any person in any unlawful manner, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than one thousand dollars, or be imprisoned in jail, or the Maryland House of Correction, for not more than two years; and in cases of conviction, if it shall appear from the evidence that such weapon was carried, concealed as aforesaid or openly, with the deliberate purpose of injuring the person or destroying the life of another, the court, or justice of the peace, presiding in the case, shall impose the highest sentence of imprisonment hereinbefore prescribed.

30-A. Nothing in this Act shall be construed to prevent the carrying of any of the weapons mentioned in the preceding Section by an officer of this State, or of any County or city therein, who is entitled or required to carry such weapon as part of his official equipment, or by any conservator of the peace, who is entitled or required to carry such weapon as part of his official equipment, or by any officer or conservator of the peace of some other State temporarily sojourning in this State, or by any special agent of a railway, or by any person who shall carry such weapon as a reasonable precaution against apprehended danger, but the tribunal before which any case arising under the provisions of this Act may be tried, shall have the right to judge of the reasonableness of the carrying of any such weapon, and the proper occasion therefor, under the evidence in the case.

30-B. All prosecutions for violations of the provisions of the preceding Sections 30 and 30-A of this Act may be either upon presentment and indictment in any court having criminal jurisdiction in this State, or by trial before any justice of the peace in and for the County or city where the offense occurs, and jurisdiction original and concurrent with the said courts having criminal jurisdiction is hereby given to the said justices of the peace, and they shall have power to issue all processes and do all Acts which may be necessary for the exercise of said jurisdiction, and may try and determine all such cases and may pronounce judgment and impose sentence therein to the same extent as the aforesaid courts having criminal jurisdiction could do in such cases, if such cases were tried before such court without a jury; provided, however, that if any person, when brought before any such justice having jurisdiction of the case, shall, before the trial for the alleged offense, pray a jury trial, or if the State's Attorney for the County or city where the offense occurs shall, before the trial of such alleged offense, pray a jury trial on behalf of the State, it shall be the duty of such justice to commit such alleged offender for trial, or to hold him to bail to appear for trial in the court having criminal jurisdiction in the case, at its then or next session, and to return said commitment or recognizance, with the names and residences of the witnesses for the prosecution endorsed thereon, forthwith to the Clerk of such court; and the justice of the peace before whom the accused is brought for trial shall inform him seasonably of his right to demand a trial by jury.

Section 2. And be it enacted, That nothing in this Act shall be construed so as to prevent, or affect in any manner, the prosecution of any offense against the law repealed by this Act which may have been committed prior to the passage of this Act, or the punishment provided for such offense.

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

Approved March 24, 1914.

[CHAPTER 147.]

AN ACT to repeal and re-enact with an amendment Section 1 of Article 14-A of the Code of Public General Laws of Maryland, as enacted by Chapter 406 of the Acts of the General Assembly of Maryland of the year 1910.

Section 1. Be it enacted by the General Assembly of Maryland, That Section 1 of Article 14-A of the Code of Public General Laws of Maryland, as enacted by Chapter 406 of the Acts of the General Assembly of Maryland of the year 1910 be repealed and re-enacted with an amendment, so as to read as follows:

Section 1. Warehouse receipts may be issued by any warehouseman. A warehouse shall be considered to be any building or structure where property of any kind is stored; provided, however, that a lot or parcel of land with or without any building or structure thereon, which lot or parcel of land is enclosed with a fence, or otherwise, shall be considered to be a warehouse, if bulky or heavy property is stored thereon.

Section 2. And be it further enacted, That this Act shall take effect from the date of its passage.

Approved March 24, 1914.

[CHAPTER 152.]

AN ACT to amend and re-enact subsection Sixth of Section 160 of Article 23 of the Code of 1904 of Public General Laws of Maryland, entitled "Corporations," sub-title "Insurance Department," providing for the examination of insurance companies and for compensation to be paid the examiners.

Section 1. Be it enacted by the General Assembly of Maryland, That sub-section Sixth of Section 160 of Article 23 of the Code of 1904 of Public General Laws of Maryland, entitled "Corporations," sub-title "Insurance Department," be, and the same is hereby repealed and re-enacted, with amendments, so as to read as follows:

Sixth. Before granting certificates of authority to an insurance company to issue policies or make contracts of insurance, the Insurance Commissioner shall be satisfied by such examination and evidence as he sees fit to make and require, that such company is otherwise duly qualified under the laws of this State to transact business therein; once at least during his term of office he shall cause the affairs of every insurance company organized under the laws of this State to be thoroughly inspected and examined, with special regard to its financial condition and its ability to fulfill its obligations, and shall ascertain and determine whether or not it has complied with the laws of this State; he shall also cause an examination of every such company to be made whenever he deems it prudent to do so, or upon the request of five or more of the stockholders, creditors, policy-holders or persons pecuniarily interested therein, who shall make affidavit of their belief, with specification of reasons therefor, showing a prima facia case that such company is in an unsound condition; and whenever the Insurance Commissioner may have reason to doubt the solvency or the correctness of the statement of any company not organized under the laws of this State, which may have been licensed to do business in this State, or which may be applying for said license, he shall communicate such doubts, and the reasons for them, to the Insurance Commissioner, or other officer charged with the supervision of insurance corporations of the State in which said company is located, and if he is not satisfied from the information obtained from such Insurance Commissioner or other officer, or from the officers of the company, that the condition of the company is such as to warrant him in permitting it to transact business in this State, under the provisions of this Article, he shall notify such company that it will be necessary for him to have its affairs examined. Whenever an examination of any insurance company doing business in this State shall be determined upon under the provisions of this Article, the Examiner of the Insurance Department and such other person or persons who shall be appointed by the Insurance Commissioner for that purpose shall visit such company at its principal office and make a thorough examination into all its affairs; and if such company shall refuse to permit such examination, or shall refuse free access to all its books and papers, or shall in any way prevent or obstruct a thorough examination into its affairs, he shall not grant a license to such company, or if a license shall already have been granted, he shall at once revoke it and publish the fact of such revocation in one daily newspaper published in the City of Baltimore. The Examiner of the Insurance Department shall be paid by the company whose affairs are examined his traveling and other expenses, and in addition thereto a sum to be approved by the Insurance Commissioner, not exceeding, however, fifteen dollars ($15.00) for each and every day that he shall be engaged in any such examination, said per diem and expenses to be in addition to the compensation provided in Section 159-A of this Article; and such other person or persons who may be appointed by the Insurance Commissioner for any of the purposes mentioned herein shall each be paid by the company whose affairs are examined their traveling and other expenses, and in addition thereto, a sum to be approved by the Insurance Commissioner, not exceeding, however, ten dollars ($10.00) per day for each and every day that he or they are engaged in any such examination; except, that the Insurance Commissioner may employ one special examiner on any examination that in his judgment may require such employment, who shall be paid by the company whose affairs are examined his traveling and other expenses, and in addition thereto, a sum to be approved by the Insurance Commissioner, not exceeding, however, twenty-five dollars ($25.00) per day, for each and every day that he is engaged in any such examination; and provided, further, that any official or employee of the Insurance Department who shall be directed by the Insurance Commissioner to assist in the examination of any insurance company organized and located outside of this State and doing business in this State, shall be paid by such company his traveling and other expenses and such reasonable compensation as shall be fixed by the Insurance Commissioner, in addition to the salary paid such official or employee out of the funds of said Department. If the per diem and expenses in any case herein provided shall remain unpaid after ten days from the completion of any such examination, the Insurance Commissioner may sue therefor. For the purposes of any examination authorized by law, the Insurance Commissioner, or the Insurance Examiner, shall have power and is hereby authorized to summon any person or persons being within this State, and to administer to him or them the proper and necessary oath, and to examine him or them, under oath, in relation to the affairs and conditions of any insurance company. In order that the public may be fully informed as to the condition of all companies doing business in this State, the result of the official examination of any such company, in such condensed form as shall show the true condition of the company examined, shall be published within thirty days thereafter by the Insurance Commissioner, at the expense of said company, in one daily newspaper published in the City of Baltimore. Should any insurance company organized under the laws of this State refuse to permit its affairs to be examined as herein provided or refuse free access to its books or papers, or in any manner whatever prevent a thorough examination, the said Insurance Commissioner shall proceed against said company in the manner provided in the seventh sub-section of this Section.

Section 2. Be it further enacted, That this Act shall take effect from and after the date of its passage.

Approved March 30, 1914.

[CHAPTER 160.]

AN ACT to amend Article 27 of the Code of Public General Laws, title "Crimes and Punishments," by inserting therein two Sections to follow Section 322 thereof, and to be known as Section 322-A, 322-B, under sub-title "Street Pianos."

Section 1. Be it enacted by the General Assembly of Maryland, That Article 27 of the Code of Public General Laws, be and the same is hereby amended by addition thereto of two Sections, to be known respectively as Sections 322-A, 322-B, to follow Section 322 of the said Article, as now enacted, under the sub-title, "Street Pianos," and to read as follows:

322-A. No female person, who may accompany or who may be in charge of, or who may have the custody of any musical instrument or device, shall solicit or accept any money or thing of value from any person upon any highway, street, or in any ordinary saloon, tavern, restaurant, lunch-room, or any other public place in this State, unless such person shall solicit aid for purely charitable purposes.

322-B. Any person violating the preceding Section shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be imprisoned not more than sixty days in the Maryland House of Correction, or fined not more than $100, or both fine and imprisonment in the discretion of the court.

Section 2. And be it further enacted, That this Act shall take effect from the date of its passage.

Approved March 30, 1914.

[CHAPTER 236.]

AN ACT to repeal Section 16 Article 10, of the Public General Laws of Maryland, entitled "Attorneys at law and Attorneys in fact," and re-enact the following in lieu thereof, with a penalty for the violation thereof.

Section 1. Be it enacted by the General Assembly of Maryland, That Section 16 of Article 10 of the Public General Laws of Maryland be and the same is hereby repealed and re-enacted, so as to read as follows:

(16) Any Register of Wills or Clerk of any Court, or deputy Register or Clerk or assistant Clerk, appointee or employee of said Register of Wills or clerk of any Court or bailiff of any Court, or officer or employee of any Juvenile Court, who shall pursue the practice as attorney at law in this State during the term of their office or appointment, shall be deemed guilty of a Misdemeanor and on conviction shall be fined not less than Twenty-five Dollars nor more than One Hundred Dollars, and be suspended from the practice of law before any of the Courts of Maryland for one year.

Section 2. And be it further enacted, That this Act shall take effect from the date of its passage.

Approved April 1, 1914.

[CHAPTER 240.]

AN ACT to add an additional Section to Article Seventy-Five of Bagby's Code of Public Civil Laws of Maryland, title "Pleadings, Practice and Process at Law," sub-title "Process," to follow Section 144 thereof and to be designated as Section 144-A.

Section 1. Be it enacted by the General Assembly of Maryland, That a new Section be and the same is hereby added to Article Seventy-Five of the Code of Public Civil Laws of Maryland, title "Pleadings, Practice and Process at Law," sub-title "Process," to be designated as Section 144-A thereof, and to follow Section 144, and to read as follows:

Section 144-A. On the return of an original writ to any of the Circuit Courts of the State, not executed in any of said Courts the same shall be renewed, returnable to the next return day thereafter, and after two returns of any original writ not executed at the two succeeding return days after the writ is first issued, the same shall be permitted to lie dormant, returnable only on the written order of the plaintiff, or his attorney of record, to such future return days as the said plaintiff, or his attorney, may elect, and upon a further return of not executed, said writ shall be again permitted to lie, renewable only as aforesaid, the said plaintiff, or his attorney, having the right to renew said writ to as many subsequent return days, under the same mode of procedure as may be deemed proper, until the same is executed.

Section 2. Be it enacted, That this Act shall take effect from the date of its passage.

Approved April 1, 1914.

[CHAPTER 253.]

AN ACT to repeal and re-enact with amendments Section 80, Article 93 of the Code of Public General Laws, title, "Testamentary Law," sub-title "Conveyance of Real Estate."

Section 1. Be it enacted by the General Assembly of Maryland, That Section 80 of Article 93, of the Code of Public General Laws, title "Testamentary Law," sub-title "Conveyance of Real Estate," be and the same is hereby repealed and re-enacted with amendments so as to read as follows:

80. The Executor or administrator, including the administrator de bonis non, of a person, who shall have made sale of real estate and have died before receiving the purchase money, or conveying the same, may convey such real estate to the purchaser; and where any decedent shall have made a sale or conveyance of any real or leasehold interest in lands or tenements and shall have conveyed the same by a deed which deed is defective by reason of erroneous recitals, improper or erroneous description of the property sold and intended to be conveyed or is lacking in any matter of form or execution required by law or in the acknowledgment thereof, or for any other reason, the executor or administrator of such deceased person may execute and deliver a confirmatory deed of such property, and his deed shall be good and valid in law, and shall convey all the right, title, claim and interest of such deceased person in such real estate as effectually as the deed of such person so dying would have conveyed the same; and in the case of deeds defective as aforesaid the confirmatory deed of such executor or administrator shall be good and sufficient to convey all the right, title, claim and interest of said grantor, and shall bind all persons who would have been bound by the conveyance of such deceased person in the same manner that they would be bound had such defective deed been a good and sufficient deed to convey the real or leasehold estate intended to be conveyed thereby; provided the executor or administrator of the person so dying shall satisfy the Orphans' Court granting him administration that the purchaser had paid the full amount of the purchase money.

Section 2. And be it enacted, That this Act shall take effect from the date of its passage.

Approved April 3, 1914.

[CHAPTER 259.]

AN ACT to repeal Chapter 85 of the Acts of the General Assembly of Maryland, Session of 1912, entitled "An Act to make valid deeds, mortgages, bonds of conveyances, bills of sale and all other conveyances of real and personal property, or of any interest, defective in acknowledgement or in the certificate thereof, or when the official character of the officer taking the acknowledgement has not been certified to, as required by the law, or when the conveyance has not been witnessed and sealed and to re-enact the same so as to read as follows:"

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