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[CHAPTER 42.]

AN ACT to regulate the importation into the State of Maryland of actual paupers, vagrant, criminal, incorrigible, insane or helpless crippled or diseased children, and providing a penalty for the violation thereof.

Section 1. Be it enacted by the General Assembly of Maryland, That it shall be unlawful for any person, corporation, association or institution to bring or send, or receive, or cause to be brought, or sent or received into the State of Maryland, any actual pauper, vagrant, criminal, incorrigible, insane or helpless crippled or diseased child for the purpose of placing such child in any home in Maryland or procuring the placing of such child in Maryland by indenture, adoption or otherwise, without first obtaining the written consent of the Board of State Aid and Charities of Maryland, and complying with the following requirements: Before such person, corporation, association or institution shall bring, or send, or receive, or cause to be brought or sent or received any such child into this State, they shall furnish to the said Board of State Aid and Charities of Maryland an indemnity bond in favor of the State of Maryland in the penal sum of ten thousand ($10,000) dollars, to be approved by said Board of State Aid and Charities of Maryland, said bond to be conditioned "that they will at once upon the placing of such child, report to the Board of State Aid and Charities of Maryland, its name and age and the name and residence of the person with whom it is placed; that if any such child shall, before it reaches the age of twenty-one years, become a public charge, they will within thirty days after the written notice shall have been given them of such fact by the said Board of State Aid and Charities of Maryland, remove such child from the State; that they will not place, or cause to be placed, any such child except under written contract which will secure such child a proper home and will make the person so receiving the child responsible for its proper care, education and training; that they will properly supervise the care and training of such child and cause such child to be visited at least once in six months by a responsible person, and that they will make the said Board of State Aid and Charities of Maryland such reports of their work as the said Board from time to time may require."

Section 2. And be it further enacted, That any person, corporation, association or institution, or any officer or agent thereof, who shall violate any of the provisions of this Act, shall be guilty of a misdemeanor, and upon conviction shall be fined a sum not exceeding one thousand ($1000) dollars.

Section 3. And be it further enacted, That the provisions of this Act shall not apply to a relative going to any other State and bringing a child into this State for the purpose of giving it a home in his or any other family, nor to the placing of children in any institution in this State.

Section 4. And be it further enacted, That this Act shall take effect from the date of its passage.

Approved March 3, 1908.

AUSTIN L. CROTHERS,
Governor.
JOSEPH B. SETH,
President of Senate.
J. ENOS RAY, JR.,
Speaker of House of Delegates.

[CHAPTER 45.]

AN ACT to repeal and re-enact with amendments Chapter 476 of the Acts of the General Assembly of Maryland, passed at the January Session of 1906, entitled, "An Act to add an additional section to Article 27 of the Code of Public General Laws, title "Crimes and Punishments," sub-title "Burglary" to be known as section 32A, and 32B.

Section 1. Be it enacted by the General Assembly of Maryland, that Chapter 467 of the Acts of the General Assembly of Maryland, passed at the January Session of 1906, be and the same is hereby repealed and re-enacted with amendments so as to read as follows:

32A. Be it enacted by the General Assembly of Maryland, That any person who breaks and enters, either by day or night, any building, whether inhabited or not, and opens or attempts to open any vault, safe or other secure place by the use of nitroglycerine, dyanmite, gunpowder or other explosive, shall be deemed guilty of burglary with explosives.

32B. And be it enacted, That any person duly convicted of burglary with explosives shall be sentenced to the penitentiary for not more than 40 years.

Section 2. And be it enacted, That nothing herein contained shall be construed to exempt from punishment any person now under indictment for the perpetration of said offences hereinbefore named at the time of the passage of this act, upon conviction thereof in any of the courts of the State, but all persons shall be liable upon conviction to punishment in accordance with the provisions of law in force prior to the passage hereof

Approved March 3, 1908.

AUSTIN L. CROTHERS,
Governor.
JOSEPH B. SETH,
President of Senate.
J. ENOS RAY, JR.,
Speaker of House of Delegates.

[CHAPTER 46.]

AN ACT to repeal and re-enact with amendments Sections 177, 178, 179 and 180 of Article 27 of the code of public general laws of Maryland, of 1904, title, "Crimes and Punishments," sub-title, "Fraud—Stallions—by owners or agents thereof."

Section 1. Be it enacted by the General Assembly of Maryland, That the Code of Public General Laws of Maryland (1904), Article 27, Sections 177, 178, 179 and 180, title, "Crimes and Punishments," sub-title, "Fraud—Stallions—By Owners or Agents of," be and the same are hereby repealed an re-enacted so as to read as follows:

Section 177. Every owner or agent who may have the custody of control of any stallion or jack-ass, who shall charge a fee for the services of such stallion or jack-ass, shall before advertising or offering such service to the public for any fee, reward or compensation, file with the Clerk of the Circuit Court for the county in which such owner or owners, agent or agents, reside, or in which such stallion, or jack-ass shall be kept for service, or if such service shall be offered in the City of Baltimore, then with the Clerk of the Court of Common Pleas, a written statement giving the name, age, pedigree and record, if known, and if not known, then that the same is unknown, the description, terms and conditions upon which such stallion or jack-ass will serve. Upon filing such statement the Clerk of the Circuit Court for the County, or of the Court of Common Pleas of Baltimore, as the case may be, shall issue a certificate or license to the owner or owners, agent or agents having the custody and control of such stallion or jack-ass, that such a statement has been filed in his office; the owners, or agent or agents, of the owners of such stallion or jack-ass, shall then post a written or printed copy of the statement so filed with such clerk, in a conspicious place in each locality in which said stallion or jack-ass shall be kept for service.

Section 178. Every owner or agent who shall preclaim or publish a false or fraudulent pedigree or record or statement of any kind regarding any stallion or jack-ass, or who shall neglect or refuse to comply with the provisions of Section 177 shall forfeit all fees for the service of such stallion or jack-ass. And the person or persons who may be deceived or defrauded by such false or fraudulent pedigree or record or statement, may sue for the recovery in any court of competent jurisdiction, such damage as may be shown to have been sustained by reason of such false and fraudulent representation.

Section 179. Wherever the owner or agent of any owner or owners of any stallion or jack-ass shall have complied with the foregoing provisions of this sub-title, the services of such stallion or jack-ass shall become a lien on such mare served, together with the foal resulting from said service, for the amount agreed upon between the owner of the mare and the owner of the stallion or jack-ass at the time of the service, or in the event of no such agreement, then in such an amount as is specified for the service of such stallion or jack-ass in the statement hereinbefore required to be filed with the clerks of courts of the respective counties or of Baltimore City.

Section 180. Any person entitled to a lien under this sub-title, shall file a claim or statement of the same in the office of the Clerk of the Court for the county where the owner of such mare resides, or if such owner is a resident of Baltimore City, then such lien shall be filed in the office of the Clerk of the Superior Court of Baltimore City; provided that the statement of such lien shall be filed within twelve months from the date of the service of the stallion or jack-ass for which the lien is claimed, and that the lien shall terminate at the end of six months from the date of te filing of the same; and for the proper recording of said liens the Clerks of the Circuit Courts for the several counties and the Clerk of the Superior Court of Baltimore City shall keep a docket to be called the "Stallion or Jack-ass Lien Docket," in which shall be recorded all liens filed in their respective counties or city.

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

Approved March 3, 1908.

AUSTIN L. CROTHERS,
Governor.
JOSEPH B. SETH,
President of Senate.
J. ENOS RAY, JR.,
Speaker of House of Delegates.

[CHAPTER 69.]

AN ACT to add an additional Section to Article 16 of the Code of Public General Laws, title, "Chancery," sub-title, "Pleading, Practice and Process," to be known as Section 200E, and to come in after Section 200D of said Article, as enacted by Chapter 373 of the Acts of 1906.

Section 1. Be it enacted by the General Assembly of Maryland, That an additional section to Article 16 of the Code of Public General Laws, title, "Chancery," sub-title, "Pleading, Practice and Process," to be known as Section 200E, and to come in after Section 200D of said Article, as enacted by Chapter 373 of the Acts of 1906, and to read as follows:

Section 200E. Nothing in Sections 200A, 200B, 200C, and 200D of this Article, as said sections were enacted by Chapter 373 of the Acts of 1506, shall in any manner affect the rights of any person or persons who may have become entitled to property in the hands of any trustee, executor, administrator, receiver or other fiduciary prior to the third day of April, 1906, being the day of the passage of Chapter 373 of the Acts of 1906, and who prior to the said third day of April, 1906, shall have filed in any Court of competent jurisdiction any bill or petition for the transfer, delivery or distribution of property so in the hands of any such fiduciary.

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

Approved March 12, 1908.

AUSTIN L. CROTHERS,
Governor.
JOSEPH B. SETH,
President of Senate.
J. ENOS RAY, JR.,
Speaker of House of Delegates.

[CHAPTER 84.]

AN ACT to repeal and re-enact with amendments Section 308 of Article 93, title, "Testamentary Law," subtitle, "Wills," of the Code of Public General Laws of Maryland, adopted by Chapter 74 of the Acts of the General Assembly of Maryland of 1888; said section being identical with Section 314 of Article 93 of the Code of Public General Laws of 1904, title, "Testamentary Law," sub - title, "Wills," prepared by Hon. John P. Poe and legalized and made evidence by Chapter 72 of the Acts of 1904; said section, as repealed, and re-enacted hereby, to stand in place of and as a substitute for both said section 307 of said Article 93 of the Code of 1888 and said Section 314 of Article 93 of said Code of 1904.

Section 1. Be it enacted by the General Assembly of Maryland, That Section 307 of Article 93 of the Code of Public General Laws of Maryland adopted by Chapter 74 of the Acts of 1888 of the General Assembly of Maryland, be and the same is hereby repealed and re-enacted so as to read as follows:

307. All lands, tenements and hereditaments which might pass by deed and which would, in case of the proprietor dying intestate, descend to or devolve on his or her heirs or other representatives, except estates tail, and all goods, chattels, monies, rights, credits or personal property of any kind, which might pass by deed, bill of sale, assignment or delivery, and all rights of entry for condition broken, and all rights and possibilities of reverter shall be subject to be disposed of, transferred and passed by his or her last will or codicil, and any testator devising real or personal property subject to a condition or conditions, may devise or bequeath the right of entry or reverter which may arise on breach of such condition or conditions, under the following restrictions.

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

Approved March 18, 1908.

AUSTIN L. CROTHERS,
Governor.
JOSEPH B. SETH,
President of Senate.
J. ENOS RAY, JR.,
Speaker of House of Delegates.

[CHAPTER 85.]

AN ACT to repeal the Act of 1898, Chapter 458, relating to the hours of labor of mechanics and laborers employed upon city work, and to re-enact the same.

Section 1. Be it enacted by the General Assembly of Maryland, That the Act of 1898, Chapter 458, of the Code of Public Local Laws, relating to the hours of labor of mechanics and laborers upon city work, be and the same is hereby repealed and re-enacted to read as follows:

Section 2. That eight hours shall constitute a day's work for all laborers, workmen or mechanics who may be employed by or on behalf of the Mayor and City Council of Baltimore, except in cases of extraordinary emergency which may arise in time of war or in cases where it may be necessary to work more than eight hours per calendar day, for the protection of property or human life, provided, that in all such cases the laborer, workman or mechanic so employed and working to exceed eight hours per calendar day shall be paid on the basis of eight hours constituting a day's work, provided further, that not less than the current rates of per diem wages in the locality where the work is performed shall be paid to laborers, workmen and mechanics so employed by or on behalf of the Mayor and City Council of Baltimore; and laborers, workmen or mechanics employed by contractors or sub-contractors in the execution of any contract or contracts within the City of Baltimore or any public work, shall be deemed to be employed by or on behalf of the Mayor and City Council of Baltimore.

Section 3. And be it further enacted, That all contracts hereafter made by or on behalf of the Mayor and City Council of Baltimore, with any person or persons or corporation, for the performance of any work with the City of Baltimore, shall be deemed and considered as made upon the basis of eight hours constituting a day's work, and it shall be unlawful for any such person or persons, or corporation to require or permit any laborer, workman or mechanic to work more than eight hours per calendar day in doing such work, except in the cases and upon the conditions provided in Section 2 of this Act.

Section 4. And be it further enacted, That any officer of the Mayor and City Council of Baltimore, or any person acting under or for such officer, or contractor or sub-contractor or other person acting for them, violating any of the provisions of this Act, shall for each and every offence be fined not less than ten dollars nor mare than fifty dollars for each and every offence, one-half of such fine to go to the informer, said fines to be collected as other fines are collected by law

Section 5. And be it further enacted, That the provisions of this Act shall not apply to the employees of the Fire Department, Bay View Asylum or the Baltimore City Jail.

Section 6. And be it further enacted, That this Act shall take effect from the date of its passage.

Approved March 12, 1908.

AUSTIN L. CROTHERS,
Governor.
JOSEPH B. SETH,
President of Senate.
J. ENOS RAY, JR.,
Speaker of House of Delegates.

[CHAPTER 93.]

AN ACT to repeal Section 17, Article 53, of the Code of Public General Laws title, "Landlord and Tenant" as repealed and re-enacted by the Act of 1904, Chapter 568, exempting certain articles from distress for rent, and to re-enact the same with amendments.

Section 1. Be it enacted by the General Assembly of Maryland, That Section 17 of Article 53 of the Code of Public General Laws, title, "Landlord and Tenant," as repealed and re-enacted by the Act of the General Assembly of Maryland, passed at the session of 1904, Chapter 568, be and the same is hereby repealed and re-enacted with amendments to read as follows:

17. The following property shall be exempt from distress for rent, to-wit: Every spinning-wheel, loom, sewing machine, typewriter, stove, cash-register, piano, organ or other musical instrument not the property of the tenant or rented, hired, or loaned to the tenant; and every horse, carriage and harness, whip and robe, saddle and bridle, or motor vehicle and appurtenances not the property of the tenant, in any livery stable or garage, or which may be stored with any keeper of any livery stable or garage or other persons, or in any other place, outhouse or barn of the tenant; and all property of any boarder or sojourner at any hotel, tavern, public or private boarding house; and any vehicle not the property of the tenant in any shop for repair; and the goods and chattels of the innocent tenant who has paid his rent to the owner of the leasehold estate shall be exempt from distraint for ground rent if any due and owing to the ground rent landlord by the owner of the leasehold estate.

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

Approved March 18, 1908.

AUSTIN L. CROTHERS,
Governor.
JOSEPH B. SETH,
President of Senate.
J. ENOS RAY, JR.,
Speaker of House of Delegates.

[CHAPTER 96.]

AN ACT to add a new section to Article 16, title, "Chancery," sub-title, "Non-Residents," of the Code of Public General Laws of Maryland, 1904, to be inserted after Section 124, Article 16, and to be known as Section 124A.

Be it enacted by the General Assembly of Maryland, That a new section be added to Article 16 of the Code of Public General Laws of Maryland, 1904, to be inserted after Section 124, Article 16, and to be known as Section 124A, and to read as follows:

Section 124A. In all cases where a bill in chancery may be filed for the sale, lease, mortgage or other disposition of land or to effect any funds which would descend as real estate, and the owner of the whole or of any part thereof or of any interest therein, whether resident or non-resident, is dead, and it is not known to the complainant or complainants in said bill whether or not said deceased person or persons left any heirs, or, if there are such heirs, who they are or whether they be residents of this State, or non-residents, the said heirs may in such bill of complaint be described as the unknown heirs of such deceased person or persons, and the said bill of complaint shall pray that they be proceeded against as non-residents.

In all such cases the order of publication shall issue as of course, in the manner now, or which may be hereafter prescribed by law, for the issuance of the order of publication against non-residents, and shall be published and the publication thereof proved as in cases of order of publication against non-residents. When such order of publication shall have been issued and published as aforesaid, all persons who may be the heirs at law of such deceased person or persons, whether they be residents or non-residents, shall be bound by the decree which may be passed by the Court in said case, and all the right, title and interest in said land, or in said fund, owned by said decedent shall pass and be divested in the decree that may be passed in said cause.

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

Approved March 18, 1908.

AUSTIN L. CROTHERS,
Governor.
JOSEPH B. SETH,
President of Senate.
J. ENOS RAY, JR.,
Speaker of House of Delegates.

[CHAPTER 105.]

AN ACT to add an additional section to Article twenty-one (21) of the Code of Public General Laws of Maryland of 1904, title, "Conveyancing," to follow Section 85, and to be designated as Section 85A, validating defective conveyances of real or personal property.

Be it enacted by the General Assembly of Maryland, That an additional Section to be added to Article 21 of the Code of Public General Laws of Maryland of 1904, title, "Conveyancing," to follow Section 85 and to be designated as Section 85A, to read as follows:

85A. All instruments, to-wit, deeds, mortgages, releases, bonds of conveyance, bills of sale, chattel mortgages, assignments of mortgages and all conveyances of real or personal property, or of any interest therein, which have been heretofore executed and acknowledged which have not been sealed, acknowledged, witnessed or certified to according to the law then existing, shall be and they are hereby made valid to all intent and purposes as if the same had been in such matter in full conformity with the law then in force; provided, that such instruments are in other respects legal and valid and are duly recorded; and provided further, that nothing in this section shall affect the rights of bona fide purchasers or credits without notice, who became so prior to the passage of this Act.

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

Approved March 19, 1908.

AUSTIN L. CROTHERS,
Governor.
JOSEPH B. SETH,
President of Senate.
J. ENOS RAY, JR.,
Speaker of House of Delegates.

[CHAPTER 115.]

AN ACT to repeal Section 335 of Article 27 of the Code of Public General Laws of the State of Maryland, title, "Crimes and Punishments," subtitle, "Murder," and re-enact the same with amendments.

Section 1. Be it enacted by the General Assembly of Maryland, That Section 335 of Article 27 of the Code of Public General Laws of the State of Maryland, title, "Crimes and Punishments," sub-title, "Murder," be and the same is hereby repealed and re-enacted with amendments so as to read as follows:

Section 335. Every person convicted of murder in the first degree, his or her aiders, abettors and counsellors shall suffer death, or undergo confinement in the Penitentiary of the State for the period of their natural life, in the discretion of the court before whom such person may be tried.

Section 2. And be it enacteed, That nothing in this Act shall be construed so as in any manner to affect the prosecution of any offence which may have been committed prior to the passage of this Act, or the punishment provided for such offence.

Approved March 25, 1908.

AUSTIN L. CROTHERS,
Governor.
JOSEPH B. SETH,
President of Senate.
J. ENOS RAY, JR.,
Speaker of House of Delegates.

[CHAPTER 120.]

AN ACT to repeal Section 101, Article 43, of the Code of Public General Laws, title, "Health," sub-title, "Practitioners of Medicine," and to re-enact the same with amendments.

Be it enacted by the General Assembly of Maryland, That Section 101 of Article 43 of the Code of Public General Laws, title, "Health," sub-title, "Practitioners of Medicine," be and the same is hereby repealed and re-enacted with amendments so as to read as follows:

Section 101. Any person shall be regarded as practicing medicine within the meaning of this sub-title, who shall append to his or her name the words or letters "Dr.," "Doctor," "M. D.," or any other title in connection with his name, with the intent thereby to imply that he or she is engaged in the art or science of healing, or in the practice of medicine in any of its branches, or who shall operate on, profess to heal, prescribe for, or otherwise treat any physical or mental ailment or supposed ailment of another, or who shall hire or for any gratuity or compensation, either directly or indirectly to him or her paid, undertake by any appliance, operation or treatment of whatever nature, to cure, heal or treat any bodily or mental ailment or supposed ailment of another; or who for any hire, gratuity or compensation, either directly or indirectly to him or her paid, by or for any patient, shall undertake to treat, heal, cure, drive away or remove any physical or mental ailment, or supposed ailment of another, by mental or other process, exercised or invoked on the part of either the healer or the patient, or both; but nothing herein contained shall be construed to apply to gratuitous services, nor to any resident or assistant resident physicians or students at hospitals in the discharge of their hospital or dispensary duties, or in the office of physicians, or to any physician or surgeon from another State, territory or district in which he resides when in actual consultation with any legal practitioner of this State; or to commissioned surgeons of the United States Army or Navy or Insane Hospital Service or Opticians or Chiropodists or to mid-wives or to masseurs or other manual manipulators who use no other means; nor shall the provisions of this sub-title apply to physicians or surgeons residing on the borders of a neighboring State, and duly authorized under the laws thereof to practice medicine or surgery therein, whose practice extends into the limits of this State; provided, that such practitioners shall not open an office or appoint places to meet their patients or receive calls within the limits of this State without complying with the provisions of this sub-title; provided, that the same privileges be accorded to licensed physicians of this State; provided further, that nothing in this sub-title shall annul any of the provisions of Article 32, title "Dentistry," nor shall apply to any registered graduate of dental surgery now practicing in the State of Maryland, with sign titles, "Dentist," "Surgeon Dentist," "Dental Surgeon" or "Stometelogist;" and provided further, that nothing herein contained shall be so construed as to prevent or in any way make unlawful or interfere with the sale by manufacturing, wholesale or retail druggists, or any persons dealing in drugs or medicines of any proprietary or patent medicine or any official or standard drug or medicine.

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

Approved March 25 1908.

AUSTIN L. CROTHERS,
Governor.
JOSEPH B. SETH,
President of Senate.
J. ENOS RAY, JR.,
Speaker of House of Delegates.

[CHAPTER 125.]

AN ACT to amend Article 93 of the Code of Public General Laws, of 1904, title, "Testamentary Law," by adding thereto a new section, under the sub-title, "Orphans' Court," to be numbered 234, and to follow immediately after Section 233

Section 1. Be it enacted by the General Assembly of Maryland, That the Code of Public General Laws, Article 93, title "Testamentary Law," be and the same is hereby amended by adding thereto a new section, under the subtitle, "Orphans' Court," to be numbered 234, to follow immediately after Section 233, and to read as follows:

Section 234. The Court shall have full power to take probate of wills, grant letters testamentary and of administration, direct the conduct and accounting of executors and administrators, superintend the distribution of estates of intestates, secure the rights of orphans and legatees and administer justice in all matters relating to the affairs of deceased persons, also of persons supposed to be dead, under the following conditions:

A. Whenever letters testamentary or of administration are applied for on the estate of any person supposed to be dead on account of uninterrupted absence for above seven years from the place of last domicile within the State and having been for such time unheard of, the Court, if satisfied that the person applying therefor, or presenting a will or codicil of the supposed decedent for probate, would be entitled to such letters or to such probate if the decedent were dead, shall cause to be advertised in a newspaper published in the county, or the city of Baltimore, as the case may be, once a week for four successive weeks, the fact of such application together with notice that on a day certain, at least two weeks after the last advertisement, the Court will hear evidence concerning the alleged absenc of the supposed decedent and the circumstances and duration thereof.

B. At the hearing the Court shall take evidence for the purpose of ascertaining whether the presumption of death is established, and, if satisfied thereof, shall pass an order so adjudging and forwith cause notice thereof to be inserted for two successive weeks in a newspaper published in the county or city of Baltimore, as the case may be, and also, when practicable, in a newspaper published at or near the place beyond the State where, when last heard from, the supposed decedent had his residence. The notice shall require the supposed decedent, if alive, or any other person for him, to produce to the Court within twelve weeks from the date of its last insertion, satisfactory evidence of his continuance of life.

C. If, within said period of twelve weeks, evidence satisfactory to the Court of such continuance in life be not forthcoming, the Court shall direct probate and letters testamentary or of administration, as the case may require, to issue, and such grant shall be as valid as if the supposed decedent were actually dead.

D. The Court may revoke such letters at any time on due and satisfactory proof that the supposed decedent is in fact alive, after which revocation all powers of the executor or administrator shall cease, but all receipts or disbursements and other acts previously done by him shall remain as valid as if the letters were unrevoked; and the executor or administrator shall settle an account of his administration to the time of revocation and transfer all assets remaining in his hands to the person as whose executor or administrator he acted, or his duly authorized agent or attorney; provided, that nothing contained in this section shall validate the title of any persons to any money or property received as widow (next of kin or distributee of the supposed decedent, but the same may be recovered from such person in any case where recovery might be had if this section had not been passed.

E. Before any distribution of the proceeds of the estate of such supposed decedent, the persons entitled thereto shall respectively give bond with adequate security, to be approved by the Court, in such sum and form as it shall direct, conditioned that if the supposed decedent shall in fact be at the time alive, they will respectively on demand refund the amounts received by each with interest thereon. If any such person is unable to furnish the security, the money shall be safely invested under the direction of the Court, the accruing interest to be paid to the person entitled, the money to remain invested until the security is given, or the Court, on application, shall order it paid to the person entitled.

F. After revocation of letters the person erroneously supposed to be dead may, on suggestion filed of record of the proper fact, be substituted as plaintiff in all actions brought by the executor or administrator, at any stage of proceedings, before or after judgment. He may, in actions previously brought against such representative, be substituted as defendant, upon like suggestion by himself or the plaintiff, and shall be then entitled to a reasonable time in which to prepare for trial. Judgments recovered against the executor or administrator may be opened on application of the supposed decedent made within three months from the date of revocation, supported by affidavit, specifically denying the alleged indebtedness or cause of ac-

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