

L A W S  
OF THE  
STATE OF MARYLAND

*Law, Statute, etc.*  
MADE AND PASSED

At the Session of the General Assembly Begun and  
Held in the City of Annapolis on the Fourth  
Day of January, 1939, and Ending on  
the Third Day of April, 1939.

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Vetoes by Governor follow immediately after the Acts.

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## CHAPTER 449.

(House Bill 335)

AN ACT to repeal and re-enact, with amendments, Section 716 of Article 4 of the Code of Public Local Laws of Maryland, and Baltimore City Charter (1938 Edition), title "Baltimore City", sub-title "Justices of the Peace and Constables", to provide for designation of three Justices of the Peace for the People's Court in Baltimore City, to serve only during the month of May, 1939.

(Vetoed.)

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## CHAPTER 450.

(House Bill 356)

AN ACT to add a new section to Article 16 of the Annotated Code of Public General Laws of Maryland (1935 Supplement to Edition of 1924), title "Chancery", sub-title "Trustee", said new section to be known as Section 268C providing that any non-resident individual and any foreign corporation authorized to perform fiduciary functions, may act as trustee under the will of a deceased resident of this State, provided the law of the State in which such person is a resident or the State in which such corporation was incorporated confers like powers upon individuals and corporations of this State.

(Vetoed.)

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## CHAPTER 451.

(House Bill 374)

AN ACT to add a new section to Article 41 of the Code of Public General Laws of Maryland, the said new section to follow immediately after Section 33 of said Article, to be placed under a new sub-title reading "Maryland State Song", and to be known as Section 33A, to formally adopt and legalize the Maryland State Song, entitled "Maryland! My Maryland!".

WHEREAS, it is represented to the General Assembly of Maryland, that the song entitled "Maryland! My Maryland!", now

used and heretofore known as the Maryland State Song, has never been formally adopted and legalized by Maryland as a State, its use having been continued by common consent only; and

WHEREAS,, it is not only desirable but eminently fitting that this song, which has been in use for so many years, should be formally adopted and legalized as the Maryland State Song; therefore,

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 Code of Public General Laws of Maryland, the said new section to follow immediately after Section 33, to be placed under a new sub-title, reading "Maryland State Song", to be known as Section 33A, and to read as follows:

33A. The poem composed by James Ryder Randall, in the year 1861, entitled "Maryland! My Maryland!", heretofore and now sung to the tune of "Lauriger Horatius" and known as the Maryland State Song, is hereby adopted and legalized by the State of Maryland, as its State Song, the said song being in words as follows:

*Maryland! My Maryland!*

The despot's heel is on thy shore,  
Maryland!

His torch is at thy temple door,  
Maryland!

Avenge the patriotic gore  
That flecked the streets of Baltimore,  
And be the battle queen of yore,  
Maryland! My Maryland!

Hark to an exiled son's appeal,  
Maryland!  
My mother State! to thee I kneel,  
Maryland!  
For life and death, for woe and weal,  
Thy peerless chivalry reveal,  
And gird thy beauteous limbs with steel,  
Maryland! My Maryland!

Thou wilt not cower in the dust,  
Maryland!

Thy beaming sword shall never rust,  
Maryland!  
Remember Carroll's sacred trust,  
Remember Howard's warlike thrust,—  
And all thy slumberers with the just,  
Maryland! My Maryland!

Come! 'tis the red dawn of the day,  
Maryland!

Come with thy panoplied array,  
Maryland!

With Ringgold's spirit for the fray,  
With Watson's blood at Monterey,  
With fearless Loew and dashing May,  
Maryland! My Maryland!

Come! for thy shield is bright and strong,  
Maryland!

Come! for thy dalliance does thee wrong,  
Maryland!

Come to thine own heroic throng,  
Stalking with Liberty along,  
And chaunt thy dauntless slogan song,  
Maryland! My Maryland!

Dear Mother! burst the tyrant's chain,  
Maryland!

Virginia should not call in vain,  
Maryland!

She meets her sisters on the plain—  
"Sic semper!" 'tis the proud refrain  
That baffles minions back again,  
Maryland! My Maryland!

I see the blush upon thy cheek,  
Maryland!

For thou wast ever bravely meek,  
Maryland!

But lo! there surges forth a shriek  
From hill to hill, from creek to creek—  
Potomac calls to Chesapeake,  
Maryland! My Maryland!

Thou wilt not yield the Vandal toll,  
Maryland!

Thou wilt not crook to his control,  
Maryland!

Better the fire upon thee roll,  
Better the blade, the shot, the bowl,  
Than crucifixion of the soul,  
Maryland! My Maryland!

I hear the distant thunder-hum,  
Maryland!

The Old Line's bugle, fife, and drum,  
Maryland!

She is not dead, nor deaf, nor dumb—  
Huzza! she spurns the Northern scum!  
She breathes! she burns! she'll come! she'll come!  
Maryland! My Maryland!

SEC. 2. *And be it further enacted*, That this Act shall take effect on June 1st, 1939.

Approved April 26, 1939.

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CHAPTER 452.

(House Bill 396)

AN ACT to repeal and re-enact, with amendments, Article 75, Sections 148, 149 and 150 of the Annotated Code of Maryland, title "Pleadings, Practice and Process at Law", sub-title "Supplementary Proceedings".

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Article 75, Sections 148, 149 and 150 of the Annotated Code of Maryland, title "Pleadings, Practice and Process at Law", sub-title "Supplementary Proceedings", be repealed and re-enacted, with amendments, so as to read as follows:

148. If it shall appear upon proof, by affidavit or otherwise to the satisfaction of the court, commissioner or examiner that any person or corporation has property of the judgment debtor or is indebted to him in a sum of money, or has any knowledge or information tending to prove any concealment or fraudulent transfer or withholding of any assets belonging to the judgment debtor, the judgment creditor shall be entitled to an order requiring such person or any of the officers of such corporation to attend and be examined as provided in the preceding section concerning the debt or other property at a time and place specified in said order.

149. Upon an examination under either of the two preceding sections such parties shall testify under oath, and shall not be excused from answering any questions on the ground that such examinations will tend to connect such party with the commission of fraud, but such answers cannot be used as evidence against said persons in any criminal action or proceeding based upon such fraud, and it shall be within the discretion of the court, examiner or commissioner to examine any of the witnesses, with the exception of the judgment debtor, out of the presence of one another.