

wherein such vacancies may occur; also, provided, that the said Board of Special Police shall always consist of two members from Harford county and one from Cecil county.

SEC. 2. *And be it enacted*, That this act shall take effect from the date of its passage. In force.

Approved April 11th, 1874.

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CHAPTER 385.

AN ACT to repeal section two of article thirty-seven, of the Code of Public General Laws, title "evidence," sub-title "competency of witnesses," as amended by the act of January session, of eighteen hundred and sixty-eight, chapter one hundred and sixteen, and to amend and re-enact the same.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That section two, of article thirty-seven, of the Code of Public General Laws, title "evidence," sub-title "competency of witnesses," as amended by the act of January session, eighteen hundred and sixty-eight, chapter one hundred and sixteen, be and the same is hereby repealed and re-enacted with amendments, to read as follows: Repealed and re-enacted.

2. When an original party to a contract or cause of action is dead, or shown to be lunatic or insane, or when an executor or administrator is a party to the suit, action or other proceeding, either party may be called as a witness by his opponent, but shall not be admitted to testify on his own offer or upon the call of his co-plaintiff, or co-defendant, otherwise than now by law allowed, unless a nominal party merely; *provided*, that when an executor or administrator, guardian or committee of a lunatic or insane person, is a party to the suit, action or other proceeding, when the cause of action has arisen on a contract made Original party is dead.

Proviso.