

of such persons so sentenced, which the said board of managers under the provisions of section 536¹ of this article otherwise would or might allot and pay to such persons so sentenced at the time of his release; provided, that the said court in its order may likewise direct and specify the time or times when such allotment and payment shall be made, and whether the same shall be paid weekly, monthly or otherwise; and provided further, that the court in its discretion may modify, amend or rescind such order in whole or part at any time during the continuance of any sentence.

See notes to sec. 89.

An. Code, 1924, sec. 90. 1912, sec. 78. 1910, ch. 683 (p. 86).

97. Any person having the care, custody or possession of any child under the age of three years, who shall desert or abandon such child with the intent that it shall become a public charge, or without making provision for its proper support and maintenance for a period of at least three years with some responsible person or institution duly authorized to take and care for infants, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not exceeding one hundred dollars or be imprisoned in jail or in the House of Correction for a period not exceeding one year.

Destitute Parents.

An. Code, 1924, sec. 91. 1912, sec. 78A. 1916, ch. 637, sec. 78A. 1939, ch. 675, sec. 91.

98. Any adult person, a resident of this State, having a parent or parents within this State, such parent or parents being destitute of means of subsistence and unable either by reason of old age, infirmity or illness to support himself or herself, who is possessed of or able to earn means sufficient to provide such parent or parents with necessary shelter, food, care and clothing, and neglects or refuses so to do, shall, upon conviction thereof, be deemed guilty of a misdemeanor, and, upon conviction in any Court of the State having original jurisdiction, shall be punished by fine not exceeding \$500.00 or imprisonment in the Maryland House of Correction for not more than one year, or both, in the discretion of the Court.

1939, ch. 675, sec. 92.

99. Whenever any parent destitute of means of subsistence and unable either by reason of old age, infirmity or illness to support himself or herself shall, in writing under oath filed with a State's Attorney (the term State's Attorney as used in this sub-title includes Deputy State's Attorney or Assistant State's Attorney acting under authority given by the State's Attorney) accuse his or her adult child of being possessed of or able to earn means sufficient to provide such parent with necessary shelter, food, care and clothing and has failed to do so, the State's Attorney may require witnesses other than the child accused to appear before him for such examination of witnesses as may be deemed in the public interest. After such examination or inquiry the State's Attorney may file an information in the Circuit Court of the county or the Criminal Court of Baltimore City, as the case may be, against the accused child charging him with the offense of non-support.

Nothing in this section, however, shall prevent the State's Attorney, if he sees fit, from submitting any such non-support case to the grand jury,

¹ This reference was to An. Code of 1912. Sec. 536 of that Code was repealed by act, 1916, ch. 556—Board of Correction (sec. 743) now exercises these powers.