

SEC. 2. *And be it further enacted*, That this Act is hereby declared to be an emergency measure and necessary for the immediate preservation of the public health and safety and having been passed by a yea and nay vote, supported by three-fifths of all the members elected to each of the two Houses of the General Assembly of Maryland, the same shall take effect from the date of its passage.

Approved November 10, 1947.

---

## CHAPTER 71.

(House Bill 36)

AN ACT to repeal and re-enact, with amendments, Section 124A of Article 16 of the Annotated Code of Maryland (1939 Edition), title "Chancery", sub-title "Non Compos Mentis", as said section was enacted by Chapter 751 of the Acts of 1947, clarifying the provisions of said Act in relation to the filing of petitions in the circuit courts of Baltimore City.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Section 124A of Article 16 of the Annotated Code of Maryland (1939 Edition), title "Chancery", sub-title "Non Compos Mentis", as said section was enacted by Chapter 751 of the Acts of 1947, be and it is hereby repealed and re-enacted, with amendments, to read as follows:

124A. The use of a Sheriff's Jury in proceedings to determine the sanity of an alleged lunatic is hereby abolished. Upon the filing of a petition for a writ de lunatico inquirendo, the sanity of the alleged lunatic shall be determined in the first instance by the Circuit Courts of the several counties in equity or the circuit Courts of Baltimore City, as the case may be. The jury to be used in such proceedings shall be empanelled by the Court, from the jurors in attendance upon the law or criminal court in said county or city, or, if there be no jurors in attendance, the court shall forthwith select twenty (20) good and lawful men from the names upon the regular jury list of the last Jury Term of the law or criminal court in said county or city to be summoned to attend as jurors in said case. The summoning of said jurors and the empanelling of a jury of twelve men from said regular panel or from said list of jurors so summoned shall proceed as far as practicable in accordance with the rules and practice of obtaining for the selection and empanelling of jurors in other civil cases.