

tions", be and the same is hereby repealed and re-enacted, with amendments, so as to read as follows:

70. The Board of Directors of a bank or trust company may declare a dividend from so much of its net profits or from its surplus in excess of one hundred per cent (100%) of its required capital, after providing for expenses, losses, interest and taxes accrued or due from said bank or trust company, as they shall deem expedient. Any losses sustained in excess of any undivided profits may be charged to its surplus account; provided, that its surplus fund, if at any time below one hundred per cent (100%) of its capital shall thereafter be reimbursed from its net earnings, and no dividends shall be declared or paid in excess of ninety per cent of its net earnings, unless or until its surplus fund shall be fully restored to the amount of one hundred per cent (100%) of its capital as required by the provisions of this Article. For the purposes of this section the term "bank" shall include savings institutions having a capital stock.

SEC. 2. *And be it further enacted*, That this Act shall take effect June 1, 1937.

Approved April 26, 1937.

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### CHAPTER 303.

AN ACT to add a new section to Article 93 of the Annotated Code of Public General Laws of Maryland, title "Testamentary Law", sub-title "Wills", to follow after Section 333 and to be known as Section 333A.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That a new section be and it is hereby added to Article 93 of the Annotated Code of Public General Laws of Maryland, title "Testamentary Law", sub-title "Wills", to follow after Section 333 and to be known as Section 333A, as follows:

333A. A will shall be revoked by the subsequent marriage of the testator coupled with birth, adoption or legitimation of a child by him. No will shall be revoked merely by the subsequent birth, adoption or legitimation of a child by the testator; provided, however, that if a will provides for an existing child or children but makes no provision for a child subsequently born, adopted or legitimated by the testator, then any such child subsequently born, adopted or legitimated shall be entitled to the same share of the estate, real and personal, which