

as Section 461 A, of Article 27, entitled "Crimes and Punishments," sub-title "Jurisdiction, Procedure and Sentence," to immediately follow Section 461, and to read as follows :

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461 A. In all cases where the law prescribing a punishment for crime fixes a maximum and a minimum penalty therefor, the judge of the Criminal Court of Baltimore and the several judges of the Circuit Courts of the counties may, in lieu of the minimum penalty so prescribed, impose a less penalty of the same character ; provided, however, that nothing herein contained shall be construed as affecting any maximum penalty fixed by law, or the punishment for any crime where the law provides one and only one penalty.

May impose a less penalty.

SEC. 2. *And be it further enacted*, That all laws and parts of laws in conflict herewith be and the same are hereby repealed.

SEC. 3. *And be it further enacted*, That this Act shall take effect from the date of its passage.

Repeal.

Approved April 3, 1906.

CHAPTER 537.

AN ACT to repeal and re-enact with amendments Section 276 of Article 93 of the Code of Public General Laws of Maryland, entitled "Testamentary Law," sub-title "Sales."

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Section 276 of Article 93 of the Code of Public General Laws of Maryland, entitled "Testamentary Law," sub-title "Sales," be and the same is hereby repealed and re-enacted, so as to read as follows :

Repeal and re-enact.

276. No executor or administrator shall sell any property of his decedent without an order of the Orphans' Court granting his letters being first had and obtained authorizing such sale ; and any sale made without an order of court previously had as aforesaid shall be void, and no title shall pass thereby to the purchaser ; provided, however, that all sales of leasehold property heretofore made by executors or administrators without a previous order of the Orphans' Court authorizing the same, but which have been duly reported to and finally ratified by said Orphans' Court, shall be valid to all effects and purposes as if such previous order had been obtained.

Unlawful to sell property without an order of the Orphans' Court.

Approved April 3, 1906.