

the proper person to defend doth not appear at the court at which the death is suggested, the plaintiff may issue a summons, returnable to the next court, directed to the proper person to defend such action; and upon such summons being served, the person summoned shall appear. This not to apply to actions for slander.

SEC. 2. *And be it further enacted*, That Section 106 of Article 93 of the Annotated Code of the Public General Laws of Maryland (1924 Edition), title "Testamentary Law," subtitle "Debts," be and it is hereby repealed and re-enacted, with amendments, so as to read as follows:

106. Executors and administrators shall have full power to commence and prosecute any personal action whatever, at law or in equity, which the testator or intestate might have commenced and prosecuted, except actions of slander; and they shall be liable to be sued in any court of law or equity, in any action (except for slander) which might have been maintained against the deceased; and they shall be entitled to and answerable for costs in the same manner as the deceased would have been, and shall be allowed for the same in their accounts, if the court awarding costs against them shall certify that there were probable grounds for instituting, prosecuting or defending the action on which a judgment or decree shall have been given against them; provided, however, that any such action for injuries to the person to be maintainable against an executor or administrator must be commenced within six calendar months after the death of the testator or intestate.

SEC. 3. *And be it further enacted*, That Section 1 of Article 67 of the Annotated Code of the Public General Laws of Maryland (1924 Edition), title "Negligence Causing Death," be and it is hereby repealed and re-enacted, with amendments, so as to read as follows:

1. Whenever the death of a person shall be caused by wrongful act, neglect or default, and the act, neglect or default is such as would (if death had not ensued) have entitled the party injured to maintain an action and recover damages in respect thereof, the person who would have been liable if death had not ensued, or the executor or administrator of the said person who would have been liable in case of the death of the