

CHAPTER 285.

AN ACT to repeal and re-enact, with amendments, Section 87 of Article 27 of the Annotated Code of Public General Laws of Maryland (1924 Edition), as amended by Chapter 448 of the Acts of 1931, of the General Assembly of Maryland, title "Crimes and Punishments," sub-title "Desertion of Wife or Child," to provide that the sentence of imprisonment may be either in the Maryland House of Correction, or in Jail, in the discretion of the Court.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 87 of Article 27 of the Annotated Code of Public General Laws of Maryland (1924 Edition), as amended by Chapter 448 of the Acts of 1931, of the General Assembly of Maryland, title "Crimes and Punishments," sub-title "Desertion of Wife or Child," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

Section 87. Any person who shall without just cause desert or wilfully neglect to provide for the support and maintenance of his wife or minor child shall be deemed guilty of a misdemeanor, and upon conviction in any court of the State having criminal jurisdiction shall be punished by a fine not exceeding one hundred dollars, or imprisonment in the Maryland House of Correction, or in Jail, for not more than three years, or both, in the discretion of the Court. The fine may be directed by the Court to be paid in whole or in part to the wife; provided, that before the trial with the consent of the defendant, or after conviction, instead of imposing the punishment hereinbefore provided, or in addition thereto, the Court in its discretion, having regard to the circumstances and financial ability of the defendant, shall have the power to pass an order which shall be subject to change by it from time to time, as the circumstances may require, directing the defendant to pay a certain sum weekly for the space of three years to the wife, and to release defendant from custody on probation for the space of three years upon his entering into a recognizance in such sum as the Court shall direct, with or without sureties. The condition of the recognizance shall be such that if the defendant shall make his personal appearance at the Court whenever ordered so to do within the three years, and shall further comply with the terms of the order, or of any subsequent modification thereof, then the recognizance shall be void, otherwise of full force and