

disposal plant has been reconstructed or replaced as heretofore prescribed.

1029H. In the event that the issuing authority refuses to issue an excreta disposal permit or refuses to give approval for the completion of an excreta disposal plant, the applicant for the permit may appeal to the Board of Health. Pending action of the Board of Health, however, said applicant shall comply with the provisions of this sub-title and with the rules, regulations and specifications of the Board of Health. Any person receiving a notice from the Health Officer to correct an excreta disposal nuisance in accordance with Sections 1029F and 1029G of this sub-title may appeal to the Board of Health, provided that the time specified for correcting the nuisance has not expired.

1029-I. Any person, firm or corporation violating any of the provisions of this sub-title shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than one hundred dollars (\$100.00) or sentenced to not more than ninety (90) days in jail, or both. Prosecutions under this section shall be before a Trial Magistrate of Montgomery County. Nothing in this section shall be construed to repeal or affect any powers of the State Department of Health under the provisions of Article 43 of the Annotated Code of Maryland (1939 Edition).

SEC. 2. *And be it further enacted*, That this Act is hereby declared to be an emergency law and necessary for the immediate preservation of the public health and safety, and being 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, the same shall take effect from the date of its passage.

Approved May 2, 1941.

CHAPTER 712.

(House Bill 788)

AN ACT to repeal and re-enact, with amendments, Sections 89 and 95 of Article 27 of the Annotated Code of Public General Laws of Maryland (1939 Edition), title "Crimes and Punishments", sub-title "Desertion of Wife or Child", for the purpose of modifying the procedure of prosecution for the crime of desertion or non-support of wife or minor