

CHAPTER 722.

(House Bill 732)

AN ACT to repeal and re-enact with amendments Section 13 of Article 27 of the Annotated Code of Public General Laws of Maryland (1939 Edition), title "Crimes and Punishments", sub-title "Assault With Intent to Murder, Ravish or Rob", providing that the jury before whom any person indicted for the crime of an assault with intent to commit rape shall be tried, if they find such person guilty thereof, may add to their verdict the words "without capital punishment" in which case the sentence of the court shall not exceed twenty years in the Penitentiary and providing that nothing in this Act shall be construed to interfere with any prosecution for any violation of this section happening previous to June 1, 1941.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, that Section 13 of Article 27 of the Annotated Code of Public General Laws of Maryland (1939 Edition), title "Crimes and Punishments", sub-title "Assault With Intent to Murder, Ravish or Rob", be and it is hereby repealed and re-enacted with amendments to read as follows :

13. Every person convicted of the crime of an assault with intent to rob, murder or have carnal knowledge of a female child under the age of fourteen years, shall be sentenced to confinement in the Maryland Penitentiary for not less than two years or more than ten years; and every person convicted of the crime of an assault with intent to commit a rape shall be punished with death, or, in the discretion of the Court, he shall be sentenced to confinement in the Penitentiary for the period of his natural life, or he shall be sentenced to confinement in the Penitentiary for not less than two years nor more than twenty years; provided, however, that the jury before whom any person indicted for the crime of an assault with intent to commit a rape shall be tried, if they find such person guilty thereof, may add to their verdict the words "without capital punishment", in which case the sentence of the court shall not exceed twenty years in the Penitentiary, and in no case where a jury shall have rendered a verdict in manner and form as hereinbefore prescribed, "without capital punishment", shall the court, in imposing the sentence, sentence the convicted party to pay the death penalty or to be confined for more than twenty years in the Penitentiary; and nothing in this section shall be construed to interfere with any prosecution that has or may hereafter be commenced for any