

716L. Within thirty days after the entry of any judgment in the People's Court on any confessed judgment note, any Judge may, in his discretion, strike out said judgment upon such terms and conditions, including a trial on the merits, as the Court may direct; within thirty days after the entry of any order or judgment in the People's Court, other than those on confessed judgment notes, any Judge may, in his discretion, strike out such order or judgment upon proof of fraud, mistake or irregularity. Such action on the part of the Judge shall be upon such terms and conditions, including a new trial, as he may prescribe. If there be an imperfection in the service of process upon a defendant or defendants such as to leave a reasonable doubt as to the jurisdiction of the Court over such defendant or defendants, then, upon due proof, any Judge of the People's Court shall have power at any time to strike out the return of summoned and all subsequent proceedings in such case, including the judgment and any enforcement thereof. Any such action may be taken only after there has been filed a petition under oath, setting out the facts upon which the defendant supports his contentions, a copy of which shall be mailed to the judgment creditor. No judgment shall be stricken out until after a hearing, in which the petitioner establishes by clear and convincing proof that he was neither legally summoned nor had knowledge of the action. Any party aggrieved by the act of a Judge in striking out a judgment under this section shall have the right to appeal to the Baltimore City Court, at any time within ten (10) days. Upon the hearing of any such appeal the petition shall be tried de novo by the Baltimore City Court. The lien of the judgment shall remain in full force and effect until there has been a determination on the merits, if the Judge strikes out the judgment, or final adjudication by the Baltimore City Court on appeal. After any judgment has been so stricken out or annulled, any party may make application to any Court of Record wherein said judgment may be recorded to have the same stricken from the records of said Court, and a certified copy of the order of the People's Court or the Baltimore City Court shall be sufficient grounds to have said judgment stricken from the record.

Sec. 2. *And be it further enacted,* That all Acts or parts of Acts of any public general or public local laws inconsistent with the provisions of this Act be and they are hereby repealed to the extent of such inconsistencies.

Sec. 3. *And be it further enacted,* That this Act shall take effect June 1, 1945.

Approved February 28, 1945.