

## CHAPTER 59

## (House Bill 64)

AN ACT to add a new section to Article 35 of the Annotated Code of Maryland (1951 Edition), title "Evidence," said new section to be known as Section 5A, to follow immediately after Section 5 thereof (said Section 5 having had the same number in the 1939 Edition, as amended), and to be under the sub-title "Competency of Witnesses," making admissible certain evidence in the prosecution of any person for unlawfully carrying a concealed weapon.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That a new section be and it is hereby added to Article 35 of the Annotated Code of Maryland (1951 Edition), title "Evidence," said new section to be known as Section 5A, to follow immediately after Section 5 thereof (said Section 5 having had the same number in the 1939 Edition, as amended), and to be under the sub-title "Competency of Witnesses," and to read as follows:

*5A. No evidence in the trial of misdemeanors shall be deemed admissible where the same shall have been procured by, through, or in consequence of any illegal search or seizure or of any search and seizure prohibited by the Declaration of Rights of this State; nor shall any evidence in such cases be admissible, if procured by, through or in consequence of a search and seizure, the effect of the admission of which would be to compel one to give evidence against himself in a criminal case; provided, however, that nothing in this section shall prohibit the use of such evidence in the prosecution of any person for unlawfully carrying a concealed weapon.* NOTHING IN THIS SECTION SHALL BE CONSTRUED TO REPEAL, IN PART OR IN WHOLE, OR TO AFFECT IN ANY MANNER ANY PROVISION ELSEWHERE IN THIS CODE SPECIFICALLY EXEMPTING ANY TYPE OF CASE OR SET OF FACTS FROM THE WORKINGS AND OPERATION OF THIS SECTION OR SECTION 5 HEREINABOVE.

SEC. 2. *And be it further enacted,* That this Act shall take effect June 1, 1952.

Approved March 28, 1952.

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EXPLANATION: *Italics indicate new matter added to existing law.*  
 [Brackets] indicate matter stricken from existing law.  
 CAPITALS indicate amendments to bill.  
~~Strike out~~ indicates matter stricken out of bill.