

CHAPTER 704

(House Bill 558)

AN ACT to repeal and re-enact, with amendments, Section 5 of Article 35 of the Annotated Code of Maryland (1947 Supplement), title "Evidence," sub-title "Competency of Witnesses," making certain evidence admissible in Anne Arundel County in the prosecution of any person for violating the gambling laws as contained in Sections 288 to 307, inclusive, of Article 27 of the Annotated Code of Maryland (1939 Edition), sub-title "Gaming," as said sub-title is amended and supplemented from time to time.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Section 5 of Article 35 of the Annotated Code of Maryland (1947 Supplement), title "Evidence," sub-title "Competency of Witnesses," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

5. 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 Baltimore County in the prosecution of any person for unlawfully carrying a concealed weapon. *Provided, further, that nothing in this section shall prohibit the use of such evidence in Anne Arundel County in the prosecution of any person for a violation of the gambling laws as contained in Sections 288 to 307, inclusive, of Article 27 of the Annotated Code of Maryland (1939 Edition), sub-title "Gaming," or in any laws amending or supplementing said sub-title.*

SEC. 2. *And be it further enacted*, That this Act shall take effect June 1, 1951.

Approved May 7, 1951.

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.