

SEC. 6. *And be it further enacted*, That this Act is hereby declared to be an emergency measure and necessary for the immediate preservation of the public health and safety and having been 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 of Maryland, the same shall take effect from the date of its passage.

Approved April 4, 1958.

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CHAPTER 74

(House Bill 37)

AN ACT to repeal and re-enact, with amendments, Section 551 of Article 27 of the Annotated Code of Maryland (1957 Edition), title "Crimes and Punishments", sub-title "Search Warrants", relating to the METHOD OF securing of search warrants, ~~the filing of a copy thereof by the clerk of court, the restoration of the property taken thereunder, the suppression of the use of evidence obtained in certain instances, and relating generally to the issue, use and effect of search warrants in this State.~~

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Section 551 of Article 27 of the Annotated Code of Maryland (1957 Edition), title "Crimes and Punishments", sub-title "Search Warrants", be and it is hereby repealed and re-enacted, with amendments, to read as follows:

SEARCH WARRANTS

551. Issuance; contents; time of search, etc.; disposition of property seized.

~~(a)~~ Whenever it be made to appear to any judge of the Supreme Bench of Baltimore City, or to any judge of any of the circuit courts in the counties of this State, or to any justice of the peace in this State, by a ~~writing~~ WRITTEN APPLICATION signed and sworn to by the applicant, ~~that of the applicant's personal knowledge~~ ACCOMPANIED BY AN AFFIDAVIT OR AFFIDAVITS CONTAINING FACTS WITHIN THE PERSONAL KNOWLEDGE OF THE AFFIANT OR AFFIANTS, THAT there is probable cause, the basis of which shall be set forth in said ~~writing~~ AFFIDAVIT OR AFFIDAVITS, to believe that any misdemeanor or felony is being committed by any individual or in any building, apartment, premises, place or thing within the territorial jurisdiction of such judge or justice of the peace, or that any property subject to seizure under the criminal laws of the State is situated or located on the person of any such individual or in or on any such building, apartment,

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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.