

## CHAPTER 625

(House Bill 33)

AN ACT to repeal and re-enact, with amendments, Sections 502 and 504 of Article 27 of the Annotated Code of Maryland (1951 Edition), title "Crimes and Punishments," sub-title "Death Penalty", and Sections 713 and 714 of said Article, sub-title "Sentence," providing that where a convicted felon is sentenced to death, death shall be imposed by the administration of a lethal gas.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Sections 502 and 504 of Article 27 of the Annotated Code of Maryland (1951 Edition), title "Crimes and Punishments", sub-title "Death Penalty," and Sections 713 and 714 of said Article, sub-title "Sentence," be and they are hereby repealed and re-enacted, with amendments, to read as follows:

502. If an offender, on conviction, may be sentenced to suffer death, the Court before whom such offender shall be tried and convicted, shall sentence him to suffer death by ~~hanging by the neck~~ *the administration of a lethal gas*; and when a case has been removed for trial and the party shall be sentenced to ~~be hung~~ *death*, the Court shall remand him to the place where the indictment was found, where such offender shall remain in the custody of the Sheriff of that county or city for disposition as hereinafter provided.

504. The Warden of the Maryland Penitentiary is hereby authorized and directed to provide and maintain a permanent death chamber within the confines of said Penitentiary, and which said death chamber shall have all the necessary appliances for the proper execution of felons by ~~hanging by the neck until dead~~ *the administration of a lethal gas*. In said death chamber shall be executed all felons upon whom the death penalty has been imposed, for offenses committed on or after January 1st, 1923. Each execution shall be conducted by the said Warden or some assistant or assistants designated by him, in the presence of, the Sheriff of the county or city where such felon was indicted, the physician of the said Penitentiary, or his assistant, and a number of respectable citizens numbering not less than six or more than twelve. Counsel for the convict and two ministers of the gospel may be present.

713. If any offender, on conviction, may be sentenced to suffer death, the court before whom such offender shall be tried and convicted shall sentence him to suffer death by ~~hanging by the neck~~ *the administration of a lethal gas*.

714. When a case has been removed for trial, and the party shall be sentenced to ~~be hung~~ *death*, the court shall remand him to the place where the indictment was found, where the sentence shall be executed as if passed in that place.

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.