

SEC. 2. *And be it further enacted*, That this Act shall take effect June 1, 1959.

Approved March 3, 1959.

---

CHAPTER 131

(House Bill 19)

AN ACT to add new Section 20A to Article 35 of the Annotated Code of Maryland (1957 Edition), title "Evidence," sub-title "Attendance and Pay of Witnesses," to follow immediately after Section 20 thereof, providing for the procedure for a witness summoned as a material witness in criminal proceedings in this State and detained in jail in default of bond, and relating generally to such witnesses.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That new Section 20A be and it is hereby added to Article 35 of the Annotated Code of Maryland (1957 Edition), title "Evidence," sub-title "Attendance and Pay of Witnesses," to follow immediately after Section 20 thereof and to read as follows:

20A.

(a). *In any criminal proceedings wherein a warrant shall* MAY be issued for the purpose of requiring the attendance of a person as a material witness for the State, it shall be mandatory, before he may be committed to jail, that such person be taken promptly before a ~~committing~~ magistrate WHO HAS THE POWER TO COMMIT if in the counties or before a police magistrate if in the City of Baltimore.

(b). *If the said magistrate shall determine* AFTER A HEARING that the person so brought before him should be held as a witness for the State, the magistrate shall set a reasonable bond for the appearance when required of the witness in the criminal proceedings.

(c). *In the event the witness is unable to post the bond set by the magistrate, then in default of such bond, the witness shall be committed to jail.*

(d). *Upon the commitment to jail in default of bond of any such witness, the magistrate before whom such witness appeared shall IMMEDIATELY notify the State's Attorney of the City or county wherein the witness is being held, that such witness is being held in jail in default of bond. The sheriff, warden or other custodian of any jail in which such a witness may be held shall also IMMEDIATELY notify the State's Attorney of the city or county ~~wherein~~ WHEREIN the jail may be located that a SUCH witness is being held in default of bond.*

---

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.