

CHAPTER 298

(Senate Bill 418)

AN ACT to repeal and re-enact, with amendments, Section 6 of Article 35 of the Annotated Code of Maryland (1957 Edition), title "Evidence", sub-title "Competency of Witnesses", as said section was amended by Chapter 53 of the Acts of 1959, correcting an error in the laws of evidence relating to the trial of certain misdemeanors in Wicomico, Kent and Talbot Counties.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 6 of Article 35 of the Annotated Code of Maryland (1957 Edition), title "Evidence", sub-title "Competency of Witnesses", as said section was amended by Chapter 53 of the Acts of 1959, be and it is hereby repealed and re-enacted, with amendments, to read as follows:

6. Same—Exception in Wicomico, Kent and Talbot counties in prosecutions for violation of alcoholic beverage laws.

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 Wicomico County, Kent County and Talbot County in the prosecution of any person for a violation of the alcoholic beverage laws as contained in Article 2B of this Code, or in any laws amending or supplementing said article. Nothing in this section shall be construed to repeal in part or in whole, or to [effect] *affect* in any manner any provision elsewhere in this Code specifically exempting any type of case or set of facts from the workings and operations of this section or Section 5 hereinabove.

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

Approved April 3, 1959.

CHAPTER 299

(Senate Bill 427)

AN ACT to repeal and re-enact, with amendments, Sections 108 (14) and 119 (a) of Article 52 of the Annotated Code of Maryland (1957 Edition), title "Justices of the Peace", sub-title "Trial Mag-

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.