

In Cecil County, notwithstanding any other provisions of this section, a fee of \$5.00 shall be paid upon the filing of any civil suit in the magistrate's court, which said fee shall constitute the entire costs in the proceedings for both the Sheriff and the magistrate, provided that poundage fees as now allowed shall be continued; and for each defendant named in any suit in excess of two, an additional fee of \$1.50 shall be added to the costs, and further, in executing a warrant of restitution upon a landlord's complaint, the plaintiff landlord shall be required to pay to the Sheriff the costs of executing the same. The entire amount of such filing fees shall be paid over monthly to the County Commissioners by the magistrate or justice of the peace to whom said filing fees were paid.

SEC. 2. *And be it further enacted, That this Act shall take effect June 1, 1963.*

Approved March 29, 1963.

CHAPTER 184

(Senate Bill 368)

AN ACT to repeal and re-enact, with amendments, Section 140 of Article 27 of the Annotated Code of Maryland (1962 Supplement), title "Crimes and Punishments", sub-title "False Pretenses, Bad Checks, Etc.", providing that trial magistrates in St. Mary's County shall have jurisdiction to try and determine certain charges of false pretenses, and correcting a reference therein to the manner of charging persons with such offenses.

SECTION 1. *Be it enacted by the General Assembly of Maryland, That Section 140 of Article 27 of the Annotated Code of Maryland (1962 Supplement), title "Crimes and Punishments", sub-title "False Pretenses, Bad Checks, Etc.", be and it is hereby repealed and re-enacted, with amendments, to read as follows:*

140.

Any person who shall by any false pretense obtain from any other person any chattel, money or valuable security, with intent to defraud any person of the same, shall be guilty of a misdemeanor, and being convicted thereof shall be liable, at the discretion of the court, to be punished by fine and imprisonment, or by confinement in the penitentiary for not less than two years nor more than ten years, as the court shall award; provided always, that if upon the trial of any person [indicted for] *charged with* such misdemeanor it shall be proved that he obtained the property in question in any such manner as to amount in law to larceny or robbery, he shall not by reason thereof be entitled to be acquitted of such misdemeanor; and no person tried upon such misdemeanor shall be afterwards liable to be prosecuted for larceny or robbery upon the same facts; and provided also, that a mere promise for future payment, though not intended to be performed, shall not be sufficient to authorize a conviction under this section. In Wicomico County *and in St. Mary's County* where the amount of money or the value of the thing received does not exceed three hundred dollars (\$300.00), the People's Court