

which the testator or intestate might have commenced and prosecuted, except actions of slander, provided, that if the death of the testator or intestate shall have resulted from the wrong for which any such personal action might have been commenced, than the executor or administrator shall be entitled to recover the funeral expenses of said testator or intestate, not to exceed, however, the sum of one thousand dollars (\$1,000.00), in addition to any other damages recoverable in such actions; and they shall be liable to be sued in any court of law or equity, in any action (except slander) which might have been maintained against the deceased; and they shall be entitled to and answerable for costs in the same manner as the deceased would have been, and shall be allowed for the same in their accounts, if the court awarding costs against them shall certify that there were probable grounds for instituting, prosecuting or defending the action on which a judgment or decree shall have been given against them; provided, however, that any such action [for injuries to the person to be] maintainable against an executor or administrator must be commenced within six calendar months after the date of the qualification of the executor or administrator of the testator or intestate; *except that such action against the estate of a testator or intestate may be instituted after the expiration of six months but within the statute of limitation in the event the deceased was covered by an existing insurance policy at the time of the occurrence, the existence of such insurance coverage not being admissible at the trial of the case and the recovery in the event of a judgment against the estate to be limited to the extent of such existing insurance.* THE PROVISIONS AS TO SUCH TIME FOR FILING OF A SUIT SHALL BE DEEMED TO ALSO PERMIT CLAIMS MADE AGAINST THE UNSATISFIED CLAIM AND JUDGMENT FUND OF THE STATE OF MARYLAND, IN THE EVENT SUCH CLAIM COULD OTHERWISE LEGALLY BE MADE.

SEC. 2. AND BE IT FURTHER ENACTED, THAT SECTION 1 OF ARTICLE 67 OF THE ANNOTATED CODE OF MARYLAND (1957 EDITION), TITLE "NEGLIGENCE CAUSING DEATH," BE AND IT IS HEREBY REPEALED AND RE-ENACTED, WITH AMENDMENTS, TO READ AS FOLLOWS:

1.

WHENEVER THE DEATH OF A PERSON SHALL BE CAUSED BY WRONGFUL ACT, NEGLIGENCE OR DEFAULT, AND THE ACT, NEGLIGENCE OR DEFAULT IS SUCH AS WOULD (IF DEATH HAD NOT ENSUED) HAVE ENTITLED THE PARTY INJURED TO MAINTAIN AN ACTION AND RECOVER DAMAGES IN RESPECT THEREOF, THE VESSEL OR PERSON WHO WOULD HAVE BEEN LIABLE IF DEATH HAD NOT ENSUED, OR THE EXECUTOR OR ADMINISTRATOR OF THE SAID PERSON WHO WOULD HAVE BEEN LIABLE IN CASE OF THE DEATH OF THE SAID PERSON WHO WOULD HAVE BEEN LIABLE, SHALL BE LIABLE TO AN ACTION FOR DAMAGES, NOTWITHSTANDING THE DEATH OF THE PERSON INJURED, AND ALTHOUGH THE DEATH SHALL HAVE BEEN CAUSED UNDER SUCH CIRCUMSTANCES AS AMOUNT IN LAW TO FELONY AND IF DEATH ENSUES AS A RESULT OF WRONGFUL ACT, NEG-