

CHAPTER 269

(Senate Bill 175)

AN ACT concerning

Witnesses - Dead Man's Statute

FOR the purpose of correcting an omission in the law of witnesses; clarifying the description of proceedings in which certain parties may not testify concerning transactions with or statements made by a decedent or incompetent person; and generally relating to the Dead Man's Statute.

BY repealing and reenacting, with amendments,

Article - Courts and Judicial Proceedings
Section 9-116
Annotated Code of Maryland
(1974 Volume and 1975 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section 9-116 of Article - Courts and Judicial Proceedings, of the Annotated Code of Maryland (1974 Volume and 1975 Supplement) be and it is hereby repealed and reenacted, with amendments, to read as follows:

Article - Courts and Judicial Proceedings

9-116.

A party to a proceeding by or against a personal representative, heir, devisee, distributee, or legatee[,] AS SUCH, IN WHICH A JUDGMENT OR DECREE MAY BE RENDERED FOR OR AGAINST THEM, or by or against an incompetent person, may not testify concerning any transaction with or statement made by the dead or incompetent person, personally or through an agent since dead, unless called to testify by the opposite party, or unless the testimony of the dead or incompetent person has been given already in evidence in the same proceeding concerning the same transaction or statement.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1976.

Approved May 4, 1976.