

**Destitute Parents.**

1916, ch. 637, sec. 78A.

**78A.** Any adult person, a resident of this State, having a parent or parents within this State, such parent or parents being destitute of means of subsistence and unable either by reason of old age, infirmity or illness to support himself or herself, who is possessed of or able to earn means sufficient to provide such parent or parents with necessary shelter, food, care and clothing, and neglects or refuses so to do, shall, upon conviction thereof, be deemed guilty of a misdemeanor, and, upon conviction in any Court of the State having original jurisdiction, shall be punished by fine not exceeding \$500.00 or imprisonment in the Maryland House of Correction for not more than one year, or both, in the discretion of the Court. The fine may be directed by the Court to be paid, in whole or in part, to such parent or parents; provided that, before the trial, with the consent of the defendant, or after conviction, instead of imposing the punishment hereinbefore provided, or, in addition thereto, the Court, in its discretion, having regard to the circumstances and financial ability of the defendant, shall have the power to pass an order, which shall be subject to change by the Court from time to time as the circumstances may require, directing the defendant to pay a certain sum or sums weekly for the space of two years, to such parent or parents, and to release the defendant from custody on probation for the space of two years upon such defendant entering into recognizance in such sum as the Court shall direct, with or without sureties. The condition of such recognizance shall be such that if the defendant shall make personal appearance at the Court, whenever ordered so to do within two years, and shall further comply with the terms of the order, and of any subsequent modifications thereof, then the recognizance shall be void, otherwise of full force and effect. If the Court be satisfied by information and due proof under oath, at any time during said two-year period, that the defendant has violated the terms of such order, it may forthwith proceed to the trial of the defendant under the original indictment, or impose sentence under the original conviction, as the case may be. In case of forfeiture of the recognizance and enforcement thereof by execution, the sum recovered may, in the discretion of the Court, be paid, in whole or in part, to such parent or parents.

1916, ch. 637, sec. 78B.

**78B.** If the defendant shall be arrested and brought before a Justice of the Peace upon the charge of violating Section 78A, such Justice shall hear the case, and if he be of the opinion that sufficient facts are proved to substantiate the charge, he shall commit or bail the defendant, pending the action of the Grand Jury, as in other cases, or, with the consent of the defendant, may, in place of such commitment or bail, pass an order and take a recognizance as provided in Section 78A. If the defendant shall violate the condition of the recognizance, it may be forfeited, and the Justice shall note the forfeiture on the recognizance