

wise burial shall be provided for as said Warden shall arrange and determine. From the time of such delivery until the infliction of the punishment of death upon him, unless he shall be lawfully discharged from such sentence, the person so sentenced shall be kept in solitary confinement, and no person shall be allowed access to him without an order of some court of competent jurisdiction, except the officers of the prison, his counsel, his physician, a priest or minister of religion, if he shall desire one, and the members of his family.

An. Code, 1924, sec. 413. 1922, ch. 465, sec. 9.

**491.** The Warden aforesaid must prepare and sign a certificate, setting forth the time and place of execution, and that the execution was conducted in conformity to the sentence of the Court, and the provisions of this sub-title, and must request all the persons present and witnessing the execution to sign said certificate. He must cause such certificate to be filed, within ten days after the execution, in the office of the Clerk of the Court in which the felon was indicted.

An. Code, 1924, sec. 414. 1922, ch. 465, sec. 10.

**492.** Nothing contained in any provision of this sub-title applies to a crime committed at any time before the day when this Act takes effect. Such crime must be punished according to the provisions of law existing when it is committed, in the same manner as if the Act of 1922, ch. 465, had not been passed, and the provisions of law, for the infliction of the penalty of death upon convicted criminals in existence on the day prior to January 1, 1923, are continued in existence and applicable to all crimes punishable by death, which have been or may be committed before January 1, 1923. A crime punishable by death committed after the beginning of January 1, 1923, must be punished according to the provisions of this sub-title, and not otherwise. The intention of this entire sub-title being to centralize the hanging of convicted felons wherein sentence of death is imposed, at the Maryland Penitentiary and to remove the same from the county or city jail as the law now provides, and to relieve the counties of this State from the curious mobs that frequent hangings taking place in the counties of this State, and who attempt to make public affairs of the same.<sup>1</sup>

#### **Negroes—Fornication With.**

An. Code, 1924, sec. 415. 1912, sec. 370. 1904, sec. 337. 1888, sec. 218. 1715, ch. 44, sec. 25.

**493.** Any white woman who shall suffer or permit herself to be got with child by a negro or mulatto, upon conviction thereof in the court having criminal jurisdiction, either in the city or county where such child was begotten or where the same was born, shall be sentenced to the penitentiary for not less than eighteen months nor more than five years.

This section referred to in slander suit. *Hemming v. Elliott*, 66 Md. 200.

#### **Obscene Publications.**

An. Code, 1924, sec. 416. 1912, sec. 371. 1904, sec. 338. 1888, sec. 219. 1853, ch. 183.

**494.** Whenever any newspaper or other periodical publication, printed, issued or published in this State shall contain any obscene or licentious

<sup>1</sup> Sec. 11 of ch. 465 of the acts of 1922 repealed all acts or parts of acts inconsistent with said act.