

CHAPTER 425.

(Senate Bill 413)

AN ACT to repeal Section 488 of Article 1 of the Code of Public Local Laws of Maryland (1930 Edition), title "Alleghany County", sub-title "Minors and Non-Support", and to repeal and re-enact, with amendments, Section 89 of Article 27 of the Annotated Code of Maryland (1939 Edition), title "Crimes and Punishments", sub-title "Desertion of Wife or Child", providing that in Alleghany County the Justice of the Peace known as the Magistrate for Juvenile Cases shall have concurrent jurisdiction with the Circuit Court of said County to try persons violating the provisions of said sub-title and fixing maximum term of imprisonment for offenders in Alleghany County.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 488 of Article 1 of the Code of Public Local Laws of Maryland (1930 Edition), title "Alleghany County", sub-title "Minors and Non-Support", be and it is hereby repealed and that Section 89 of Article 27 of the Annotated Code of Maryland (1939 Edition), title "Crimes and Punishments", sub-title "Desertion of Wife or Child", be and it is hereby repealed and re-enacted, with amendments, to read as follows:

89. Any person who shall without just cause desert or wilfully neglect to provide for the support and maintenance of his wife or minor child shall be deemed guilty of a misdemeanor, and upon conviction in any court of the State having criminal jurisdiction shall be punished by a fine not exceeding one hundred dollars, or imprisonment in the Maryland House of Correction, or in Jail, for not more than three years, 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 the wife; 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 it from time to time, as the circumstances may require, directing the defendant to pay a certain sum weekly for the space of three years to the wife, and to release defendant from custody on probation for the space of three years upon his entering into a recognizance in such sum as the Court