

COUNTY, *may prescribe by rule for service by registered or certified mail of papers other than those previously specified in this section.* FOR REGISTERED OR CERTIFIED MAIL SERVICE, NOT INCONSISTENT WITH OTHER PROVISIONS OF LAW. IN MONTGOMERY COUNTY, A MAJORITY OF THE JUDGES OF THE PEOPLE'S COURT MAY PRESCRIBE BY RULE FOR SERVICE OF PROCESS BY REGISTERED OR CERTIFIED MAIL.

118.

(A) ANY DEFENDANT IN A CIVIL OR CRIMINAL CASE PENDING BEFORE ANY TRIAL MAGISTRATE MAY HAVE THE CASE REMOVED TO ANOTHER TRIAL MAGISTRATE IN THE SAME COUNTY BY FILING AT ANY TIME BEFORE TRIAL AN AFFIDAVIT, EXECUTED BY THE DEFENDANT OR HIS AGENT OR ATTORNEY BEFORE ANY PERSON AUTHORIZED TO ADMINISTER OATHS, STATING THAT HE DOES NOT BELIEVE SUCH DEFENDANT CAN HAVE A FAIR AND IMPARTIAL TRIAL BY THE TRIAL MAGISTRATE BEFORE WHOM THE CASE IS PENDING, PROVIDED, HOWEVER, THAT IN KENT [COUNTY] AND CECIL COUNTIES THE NOTICE OF REMOVAL HEREINBEFORE PROVIDED FOR MUST BE GIVEN AT LEAST FORTY-EIGHT (48) HOURS PRIOR TO THE TIME AT WHICH THE CASE SOUGHT TO BE REMOVED IS SET FOR TRIAL.

SEC. 2. *And be it further enacted,* That this Act is hereby declared to be an emergency measure and necessary for the immediate preservation of the public health and safety and having been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, the same shall take effect from the date of its passage.

Approved May 5, 1970

CHAPTER 583
(House Bill 308)

AN ACT to repeal and re-enact, with amendments, Section 5-104 (b) of Article 93 of the Annotated Code of Maryland (1969 Replacement Volume), title "Decedents' Estates," subtitle V "Opening the Estates," providing that certain individuals shall be allowed to serve as administrators and executors of estates.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 5-104 (b) of Article 93 of the Annotated Code of Maryland (1969 Replacement Volume), title "Decedents' Estates," subtitle V "Opening the Estate," is hereby repealed and re-enacted, with amendments, to read as follows :

5-104.

(b) Letters shall not be granted to a person who, at the time any determination of priority is made, has filed with the register a declaration in writing that he renounces his right to administer or is