

therefor by indictment, and shall on conviction thereof be punished by fine not exceeding five hundred dollars, or by imprisonment not exceeding three months, or both, according to the nature and aggravation of the offense.

An indictment held not to be under this section but for a conspiracy having for its object an unlawful and criminal purpose. *Garland v. State*, 112 Md. 90.

1904, art. 27, sec. 29. 1888, art. 27, sec. 26. 1860, art. 30, sec. 20. 1799, ch. 50, sec. 18. 1805, ch. 97, sec. 29. 1811, ch. 204.

31. If any candidate at an election to be held under the constitution and laws of this State, or any other person whatever, shall at any time before or on the day of any election give or bestow, or directly or indirectly promise any gift or reward to secure any person's vote or ballot at any such election, or shall keep or suffer to be kept any house, tent, booth, or other accommodation in any part of any district at any time during the day of holding such election, and before the close thereof, at his expense, where any victuals or intoxicating liquors shall be gratuitously given or dealt out to voters, every such person or candidate so offending shall, on conviction thereof in the court of the county or city wherein such offense may be committed, be fined at the discretion of the court a sum not exceeding five hundred dollars, and suffer such imprisonment as the court may adjudge, not exceeding six months and such other penalties as are prescribed by the constitution; one-half of the fine to go to the informer.

Burglary.

Ibid. sec. 30. 1888, art. 27, sec. 27. 1860, art. 30, sec. 21. 1809, ch. 138, sec. 5.

32. Every person convicted of the crime of burglary, or as accessory thereto before the fact, shall restore the thing taken to the owner thereof, or shall pay him the full value thereof and be sentenced to the penitentiary for not less than three nor more than ten years.

Since one of the elements of burglary is a felonious intent, it is material to show for what purpose the traverser entered the house; hence it may be shown that he entered for the purpose of having carnal intercourse with the owner. *Robinson v. State*, 53 Md. 151.

Ibid. sec. 31. 1888, art. 27, sec. 28. 1860, art. 30, sec. 22. 1809, ch. 138, sec. 5.

33. Every person, his aiders, abettors and counsellors, who shall be convicted of the crime of breaking a dwelling-house in the day time with intent to commit murder or felony therein, or breaking a storehouse, warehouse or other out-house in the day or night with an intent to commit murder or felony therein shall be sentenced to the penitentiary for not less than two nor more than ten years.

Ibid. sec. 32. 1888, art. 27, sec. 29. 1860, art. 30, sec. 23. 1737, ch. 2, sec. 2. 1809, ch. 138, sec. 5.

34. Every person convicted of the crime of breaking into any shop, storehouse, tobacco house or warehouse, although the same be not con-