

istering the oath is immaterial. Indictment held sufficient. A plea in abatement that one of the grand jurors did not believe in the Holy Scriptures, held bad. If any of the grand jurors who found the indictment are incompetent, such indictment is void and the issue may be raised by plea in abatement. *State v. Mercer*, 101 Md. 538.

It is sufficient to charge that the traverser swore "willfully, knowingly, maliciously and falsely." Proceedings before officers of registration are *quasi* judicial and hence perjury may be committed in such proceedings. The offence of perjury must be charged with certainty; indictment held defective. *State v. Bixler*, 62 Md. 357.

Perjury is an infamous crime and any person convicted thereof will not only be disfranchised (unless pardoned), but will be punished under section 407. Indictment held sufficient. *State v. Floto*, 81 Md. 601.

The first and second sections of 23 George 2nd, ch. 11, dealing with prosecutions for perjury and subornation of perjury, held to be in force in Maryland. An indictment for perjury growing out of a *habeas corpus* proceeding, held valid. How the materiality of the evidence may appear. Departure held to be one of form merely. *Deckard v. State*, 38 Md. 201.

1904, art. 27, sec. 357. 1894, ch. 262, sec. 226A.

405. Any person who shall make oath or affirmation to two contradictory statements, each of them in one of the cases enumerated in section 404 and in either case shall make oath or affirmation wilfully and falsely, shall be deemed guilty of perjury; and to sustain an indictment under this section it shall be sufficient to allege and prove that one of the said two contradictory statements is or must be false and wilful, without specifying which one.

Ibid. sec. 358. 1888, art. 27, sec. 227. 1860, art. 30, sec. 156. 1692, ch. 16, sec. 2. 1894, ch. 262.

406. Any person who shall procure another to make a false oath or affirmation in any of the cases embraced in the two preceding sections shall be deemed guilty of subornation of perjury.

Ibid. sec. 359. 1888, art. 27, sec. 228. 1860, art. 30, sec. 157. 1809, ch. 138, sec. 8. 1894, ch. 262.

407. Every person who shall be convicted of perjury or subornation of perjury shall be sentenced to imprisonment in the jail or penitentiary for not more than ten years.

See notes to section 404.

Pneumatic Tire.

Ibid. sec. 360. 1896, ch. 437, secs. 1 and 2.

408. Whoever wilfully places or causes to be placed in or upon any avenue, street, alley, road, highway or public way any tack, nail, piece of iron, broken glass or other substance which may injure, cut or puncture any pneumatic tire shall be guilty of a misdemeanor, to be tried before a justice of the peace; and shall be fined not more than fifty dollars nor less than five dollars, such fines to be collected as other fines are collected, and when collected, to be paid into the road or street fund of the county or municipal corporation in which they are collected. This section shall not apply to Talbot or Wicomico counties.