

or place of amusement as waiters, or for the purpose or under the pretense of selling, serving, receiving orders or pay for spirituous or malt liquors, wines, lager beer or any other refreshments or merchandise.

1904, art. 27, sec. 391. 1888, art. 27, sec. 254. 1864, ch. 399.

443. Any person violating the provisions of the preceding section shall be deemed guilty of a misdemeanor, and on conviction thereof in the criminal court of Baltimore or the circuit court for the county shall be sentenced to pay a fine of not less than one hundred nor more than one thousand dollars, or to imprisonment in jail for not less than one month nor more than six months, or to both fine and imprisonment at the discretion of the court, and to forfeiture of license; one-half the fine to be paid to the informer and the other half to the State.

Thieves and Pickpockets.

Ibid. sec. 392. 1888, art. 27, sec. 255. 1864, ch. 38.

444. It shall be the duty of all police officers in Baltimore city to arrest and take before some one of the station house justices in Baltimore city all persons whom they shall find in any passenger railway car, or in or about any railway depot in Baltimore city, or in any place of public amusement, or in any street of the city, who they shall know or have good reason to believe are common thieves or pickpockets, and said justices shall commit or bail such persons for trial before the criminal court; and if any person in Baltimore city shall be charged on oath before any justice of the peace in Baltimore city,* or before the judge of the criminal court, with being a common thief or pickpocket, such justice or judge shall issue a warrant for the arrest of such person and commit or bail him for trial; and any person convicted in the criminal court of Baltimore of being a common thief or common pickpocket shall be imprisoned in jail not more than two years nor less than six months and be fined not more than one hundred dollars; but if any person is arrested or indicted a second time or more for such offense he shall be convicted only on proof that he has continued to be a common thief or pickpocket for at least one month since his last conviction or acquittal, and it shall be necessary to charge in the indictment only that the person is a common thief or common pickpocket, and any evidence, either of facts or reputation, proving that such person is habitually and by practice a thief or pickpocket shall be sufficient for his conviction if satisfactorily establishing the fact to the court or jury by whom he is tried, and there shall be no discretion in any police officer or justice of the peace to discharge or release any person who is by such proof before them or knowledge on their part shown to be a thief or pickpocket as aforesaid, but such person shall be bailed or committed for trial, and no conviction or charge of, or for being a common

*Station house justice.