

An. Code, sec. 105. 1904, sec. 96. 1890, ch. 523, sec. 68A.

122. Any person who shall keep a disorderly house shall on conviction thereof be subject to a fine of not less than fifty dollars nor more than three hundred dollars, or to imprisonment in jail for not less than ten days nor more than six months, or to both fine and imprisonment.

This section held to have no application to offense committed prior to its passage. Where a party has been convicted of a common law offense prior to passage of statute punishing same offense, he is liable to the common law penalty; but where a statute which creates an offense is repealed (without a saving clause), a conviction cannot be had on a crime committed prior to the repeal. *Ex post facto* laws. *Beard v. State*, 74 Md. 131 (see now, however, art. 1, sec. 3, of Code).

Duelling.

An. Code, sec. 106. 1904, sec. 97. 1888, sec. 69. 1816, ch. 219, sec. 1.

123. Any person who shall wilfully and maliciously, or by previous agreement, fight a duel or single combat with any engine, instrument or weapon, the probable consequence of which may be the death of either party, and in doing so shall kill his antagonist or any other person, or inflict such wound as that the person injured shall die thereof within twelve months and a day thereafter, such offender, his aiders, abettors and counsellors, being thereof convicted, shall be sentenced to undergo a confinement in the penitentiary for not less than five nor more than eighteen years.

An. Code, sec. 107. 1904, sec. 98. 1888, sec. 70. 1816, ch. 219, sec. 6.

124. If any person shall, for the purpose of eluding the provisions of the preceding section, leave the State, the person so offending shall be deemed as guilty and be subject to the like penalties as if the offense had been committed within this State.

An. Code, sec. 108. 1904, sec. 99. 1888, sec. 71. 1816, ch. 219, sec. 5.

125. When any judge or justice of the peace has good cause to suspect that any person is about to be engaged in a duel, he may issue his warrant to bring such person before him; and if he shall think proper to take of him a recognizance to keep the peace, he shall insert in the condition that such person shall not, during the time for which he is bound, directly or indirectly, be concerned in a duel, either with the persons suspected or any other person, within the time limited by the recognizance.

Embezzling Property and Writings.

An. Code, sec. 109. 1904, sec. 100. 1888, sec. 72. 1715, ch. 11. 1809, ch. 138, sec. 8.

126. Every person convicted of wilfully or corruptly embezzling, stealing, withdrawing, impairing, razing or altering any will, testament, codicil, patent, deed, or assignment of a patent, writ, return, record, or parcel of the same, within this State, whereby the estate or right of any person shall or may be defeated, injured or any way altered, shall be sentenced to the penitentiary for not less than three nor more than seven years.

Cited but not construed in *Dick v. State*, 107 Md. 22.

As to defaulters, see sec. 79.

As to indictments for embezzlement, see sec. 559.