

An. Code, sec. 116. 1904, sec. 106. 1888, sec. 77. 1862, ch. 114.

133. If any person shall purchase or fraudulently receive, without the consent of the owner or owners of such property, any coal, iron, lumber or other articles of merchandise, or any property whatever, consigned to any person in this State, or any other State, or the District of Columbia, knowing the same to be so consigned, from any captain of a canal boat, or any other person engaged in transporting the said property, such purchaser shall be liable to pay such owner or owners double the value of the property so purchased, to be recovered by civil action, before any justice of the peace, or in any court having jurisdiction thereof; and the said action may be brought in the name of either the consignor or consignee.

Cited but not construed in *Young v. Mertens*, 27 Md. 123.

An. Code, sec. 117. 1904, sec. 107. 1888, sec. 78. 1884, ch. 499.

134. If any person employed in the management or navigation of any vessel on any river, canal, bay or other waters exclusively within this State, in any capacity whatever, shall sell, give away, pledge or in any manner dispose of the cargo thereof, belonging to the owner or owners of such vessel or vessels, or any article or commodity thereon, without the consent of the owner or owners thereof, with intent to defraud the owner or owners, or any of them, or, if having sold the same, or any part thereof, with such consent, shall neglect or refuse to pay over to such owner or owners thereof, the consideration received therefor, with intent to defraud the said owner or owners, or any of them, he shall be deemed guilty of a misdemeanor, and on conviction thereof in any court of this State having criminal jurisdiction shall be punished by a fine of not less than five hundred dollars nor more than one thousand dollars, or by imprisonment in the jail of the county or city in which such conviction is had for not less than six months nor more than twelve months, or by both fine and imprisonment, at the discretion of the court. The provisions of this section shall be applicable to cases where the person employed as aforesaid, and committing or doing any of the acts prohibited, and made punishable in this section as aforesaid, is or may be part owner of such cargo, or may be in any manner interested therein, such person being punishable, if committing or doing any of the acts prohibited and made punishable herein, in the same manner as if such person had no part ownership or interest in said cargo, or any part thereof.

An. Code, sec. 118. 1904, sec. 108. 1888, sec. 79. 1884, ch. 499.

135. In all prosecutions under the foregoing section, when any money has been received by such person employed as therein described, in consideration of such cargo, and there has been such a neglect or failure as therein described to pay over to the owner or owners, or part owners of such cargo the money so received or the proper portion thereof due and owing to such owner or owners, or part owner or part owners, it shall not be necessary in the indictment to describe the particular kind or denomination of such money so received and so neglected or refused to be paid over, but it shall be sufficient to allege in the indictment, and to prove on the