

common thief or common pickpocket shall be fined not exceeding one thousand dollars or be imprisoned in jail or in the House of Correction or in the penitentiary for a period not exceeding five years, or be both fined and imprisoned within the limits above prescribed in the discretion of the court; 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 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 police justice 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 thief or pickpocket shall prevent any such person from being tried and convicted for any particular act of larceny he may have committed.

World v. State. 50 Md. 49.

1864, ch. 38. P. L. L. (1888). Art. 4, sec. 759.

784. If any person shall be arrested at any place on the line of the Baltimore and Ohio Railroad, or on the line of the Northern Central Railroad, or on the line of the Philadelphia, Wilmington and Baltimore Railroad, or in any of the cars or depots, or at any of the stations on said roads, or on any ferryboat employed to carry passengers over any part of said road, and within the limits of this State, charged with being a common thief or pickpocket, such person may be taken before any Justice of the Peace of the county in which said place or depot or station may be situated; or if such person be arrested in any car, or on any ferry-boat, before any Justice of the Peace of the nearest convenient county or any station house Justice of the City of Baltimore; and such Justice shall, on proof, as provided in the preceding section, commit or bail such person for trial before the Circuit Court of the county or the Criminal Court of Baltimore, as the case may be; and all police officers of Baltimore City, and all conductors of trains and police employed by any of said railway companies, and all constables and bailiffs of any county or city on the lines of said road, shall arrest all such persons at any of the places aforesaid, on the same knowledge and proof of their being common thieves or pickpockets as provided in the preceding section, and the said Justice shall commit or bail such person on the same knowledge or proof; and any person convicted in any county on the line of said roads of being a common pickpocket, shall be punished by a fine or imprisonment in the jail of the county for the same time and in the same amount as provided in the preceding section; and all the provisions of the preceding section shall apply to all cases under this section, except so far as altered by this section.