

this State; and provided further, that this section shall not apply to male persons under the age of eighteen years.

Indictment under this section need not aver that traverser is above eighteen years of age. Indictment upheld. *Foxwell v. State*, 146 Md. 92.

This section referred to, in illustrating that the sub-division under which a statute is codified is immaterial. See notes to sec. 34. *Bowser v. State*, 136 Md. 344.

An. Code, 1924, sec. 469. 1924, ch. 359.

**547.** Wherever any female shall be transported by any means, with the intent to violate any of the foregoing three sections and the said intent shall be followed by actual violation of any of the said sections, the Circuit Court of any County or the Criminal Court of Baltimore City shall have full and absolute jurisdiction to try all offenses committed in violation of this sub-title, when such transportation or any part thereof shall be offered, solicited, begun, continued or ended in such County or the City of Baltimore.

### Receiving Stolen Goods, Money or Securities.

An. Code, 1924, sec. 470. 1912, sec. 423. 1904, sec. 371. 1888, sec. 234. 1809, ch. 138, sec. 6. 1892, ch. 546. 1902, ch. 18. 1918, ch. 424. 1936 (Sp. Sess.) ch. 106, sec. 470.

**548.** Every person who shall be convicted of the crime of receiving any stolen money, goods, or chattels, to the value of twenty-five dollars or upwards, knowing the same to be stolen, or of the crime of receiving any bond, bill obligatory, bill of exchange, promissory note for the payment of money, bank note, paper bill of credit, or certificate granted by or under the authority of this State, or the United States, or any of them, to the value of twenty-five dollars or upwards, knowing the same to be stolen, shall restore such money, goods or chattels or things taken and received to the owner thereof, or make restitution to the value of the whole or such part thereof as shall not be restored, and shall be sentenced to undergo confinement in the penitentiary, or in the house of correction, or in jail, in the discretion of the Court imposing sentence, for not more than ten years. And such receiver may be prosecuted and punished, although the principal offender or offenders shall not have been convicted, and although such receiver shall have received such money, goods or chattels or things from a person other than the person by whom such money, goods or chattels or things shall have been stolen.

Receiving stolen goods is a misdemeanor. Indictment need not aver that the property was *feloniously* received or for purpose of converting it to traverser's use, a purpose to assist or aid the thief being sufficient if the goods are known to have been stolen. Indictment should, however, charge that the goods were *unlawfully* received. This section merely prescribes the punishment for receiving stolen goods and does not change nature of the offense. Effect of words "*contra pacem*." *State v. Hodges*, 55 Md. 138 (decided prior to act, 1892, ch. 546).

Indictment charging receipt of "four pieces of printed paper commonly called United States 5-20 bonds of the issue of 1865, each of the value of one thousand dollars current money," is defective in that it does not charge that the pieces of printed paper were bonds or certificates of indebtedness issued or "granted by or under the authority of the United States." Offenses created by this section and sec. 390 were unknown to common law—see notes to sec. 390. *Kearney v. State*, 48 Md. 23.

As to larceny, see sec. 387, *et seq.*

No new offense was created by act 1918; indictment need not allege name of thief or person from whom property received. *Henze v. State*, 154 Md. 335.

Person convicted before Justice of Peace, having jurisdiction of offense (receiving stolen goods of less value than \$25.00), and while appeal is pending, cannot again be put in jeopardy by indictment for same offense; improper for State to enter *nolle prosequi* in appealed case without consent of defendant, and subsequent trial and conviction under indictment cannot stand. *Friend v. State*, 175 Md. 352.