

of said Institution directing such transfer then the said sentence of the Court shall operate to authorize such transfer by virtue hereof. All persons now confined in the Maryland Penitentiary may be transferred to the Maryland House of Correction by the Board of Correction upon the issuance of its warrant as above provided.

It is expressly provided, however, that nothing in this section shall be construed to add to, alter or change the class of crimes, as they existed before October 1, 1916, with respect to the right of challenge or with respect to the fees in criminal cases, or to make any crime infamous, by reason of any sentence to the Maryland Penitentiary, or transfer thereto, which would not have been an infamous crime before October 1, 1916; and it is further provided that nothing in this Section shall be construed to prevent any Court from committing any minor to any industrial school or juvenile reformatory to which minors may now be committed under existing law.

Sentence to Baltimore City jail for two years upheld under this section. *Grove v. Taylor*, 143 Md. 199.

This section held not to have affected art. 57, sec. 11, or to have changed the time within which misdemeanors may be prosecuted. *Conspiracy. Evidence. Archer v. State*, 145 Md. 136.

Sentence to House of Correction for eleven months upheld under this section and art. 2, sec. 49, Code of Public Local Laws, 1930 Ed. *Callahan v. State*, 163 Md. 302.

Cited in *Cohen v. State*, 173 Md. 234.

An. Code, 1924, sec. 701. 1916, ch. 556, sec. 655.

789. When any person is convicted before any Justice of the Peace having criminal jurisdiction, of any misdemeanor, committed after October 1, 1916, and punishable by imprisonment in jail, or by fine and imprisonment in jail (other than imprisonment in default of fine), the said Justice of the Peace shall have power in his discretion to sentence such person to be confined in the Maryland House of Correction; and all sentences of imprisonment for over six months imposed by such Justice upon such person, shall be to the Maryland House of Correction. All sentences to the Maryland House of Correction, under this Section may be for a term of imprisonment up to but not exceeding the maximum term in jail which the Justice might have imposed for the offense committed had this Section not been enacted; provided, however, that in no case whatsoever shall any Justice sentence any person to imprisonment in the Maryland House of Correction for more than three years nor for less than three months, except that any sentence under section 537 of this Article may be imposed in accordance with the provisions of said section 537. And it is further provided that nothing in this Section shall be construed to prevent any Justice having jurisdiction from committing any minor to any industrial school or juvenile reformatory to which minors may now be committed under existing law.

An. Code, 1924, sec. 702. 1916, ch. 556, sec. 656.

790. The salary of the Director and Chairman of said Board of Correction and the salaries or compensation of every employee of said Board and every Warden, and other employees connected with the Maryland Penitentiary, the Maryland House of Correction shall be paid by the said Board out of any funds in the hands of said Board, or by the State Treasurer upon warrant of the Comptroller of the Treasury, out of the funds appropriated therefor.

Every member of said Board of Correction, and every employee of said Board, and every Warden, and other employees connected with any of said institutions, shall have reimbursed to him all actual and necessary traveling