

nizance or commitment.

Trial.

Id s 157  
1853, c 99  
Presentment or indictment

time or place of such assault and battery in the recognizance or commitment on which the said person is tried, but the said person may be tried on a recognizance or commitment for a common assault and battery, and shall be sentenced by the court according to the facts proved at the trial.

**26.** In case the said person is tried upon a presentment or indictment, it shall only be necessary to allege in the presentment or indictment that the offence was committed between the hours aforesaid, and that it was committed on a highway in the city of Baltimore, or at a place of public resort or amusement, without setting forth said highway or place of public resort or amusement by name.

## OFFENCES AGAINST PROPERTY.

### ARSON AND BURNING

Art 30, s 2.  
1809, c 138, s 5  
Punishment for conviction of arson  
27 Md 123.

**27.** Every person convicted of the crime of arson, or as being accessory thereto, shall, at the discretion of the court, suffer death, or be sentenced to the penitentiary for not less than five nor more than twenty years.

Id s 3  
1851, c 208, s 4  
Burning untenanted dwelling-house  
Punishment.

**28.** If any person shall maliciously set fire to and burn any untenanted dwelling-house, he shall, on conviction thereof, be confined in the penitentiary for a term not less than two years nor more than ten years.

Id s 4  
1809, c 138, s 5  
Burning ship or vessel  
Punishment.

**29.** Every person, his aiders or abettors, who shall be convicted of the crime of wilfully and maliciously burning any ship or other vessel of seventeen feet keel or upwards, whether laden or empty, shall be sentenced to the penitentiary for not less than two nor more than twelve years.

Id s 5  
1720, c 25,  
1809, c 138, s 8  
Burning public building, or attempting or conspiring to burn the same.  
6 Md 400,  
10 Md 431,  
5 H & J 125,  
4 G & J. 402.

**30.** If any person shall wilfully burn, or attempt or conspire to burn, any court-house, or county or public prison, or the penitentiary, poor-house, magazine, or lazaretto, or public warehouse, or any other building belonging to this State, or the different counties, cities, or towns, or bodies corporate in this State, or the office of the clerk or register of any court in this State, or the State House of this State, or any public office contained therein, or any public office in this State of any kind whatever, or church or house of worship, college, academy, or school-house, engine-house, market-house, scale-house, watch-house, or public barrack, such person and his aiders, abettors, and counsellors, and each of them, shall be deemed felons, and, on being convicted thereof, shall suffer death, or be sentenced to the penitentiary for not more than fifteen years.

Punishment

Id s 6  
1809, c 138, s 8  
Burning or destroying arsenal or magazine, or naval stores, or attempting or conspiring to burn the same

**31.** Every person convicted of the crime of wilfully and maliciously burning or destroying, or attempting or conspiring to burn or destroy, any public arsenal or magazine of provisions, or of military or naval stores, belonging to this State, or subject to the jurisdiction of this State, or of wilfully and maliciously burning or destroying, or attempting or conspiring to burn or destroy, any