

ARTICLE LXXIII.

PROCEEDINGS IN CRIMINAL CASES.

INDICTMENTS, FALSE PRETENCES, GAMING, AND LOTTERIES.

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| <ul style="list-style-type: none"> <li>1. Indictment, etc , how misnomer of defendants amended</li> <li>2 Amendment of names other than of defendant made after jury sworn, proceedings</li> <li>3 How ownership of property laid</li> <li>4. What defects not available on motion to quash</li> <li>5 Conclusion of indictments, felony and misdemeanor not merged , counts may be for both.</li> </ul> | <ul style="list-style-type: none"> <li>6 False pretences how stated , defendant entitled to names of witnesses and statement</li> <li>7. Lottery drawing, gaming, etc , sufficiency of indictment in</li> <li>8 Amendments</li> <li>9 What necessary indictments for forgery , for embezzlement and obtaining by false pretences , describing instruments</li> </ul> |
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JURISDICTION.

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| <ul style="list-style-type: none"> <li>10 Jurisdiction in case of death from blow or poison , accessory to murder or felony</li> <li>11. Same on Chesapeake bay</li> <li>12. Crime, etc , on Chesapeake bay , offender indicted or tried in any court of this State, or county in which party arrested or first brought</li> </ul> | <ul style="list-style-type: none"> <li>13 Person committing crime out of his county or removing after commission, process to go to county where he resides</li> <li>14 Traverse before court and trial by same.</li> </ul> |
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SENTENCE.

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| <ul style="list-style-type: none"> <li>15. Sentence for clergyable felony , for felony not clergyable</li> <li>16 For murder</li> <li>17 Removed cases, where sentence of death</li> <li>18 Minors , binding out of convict minors</li> <li>19 What minors sentenced to penitentiary</li> <li>20 When minors may be bound to managers of house of refuge or other institution</li> <li>21 Discretionary power of court as to binding out minors</li> <li>22 Sentence of convicts to penitentiary , when to expire</li> </ul> | <ul style="list-style-type: none"> <li>23 Discretionary power of court in sentencing convicts to penitentiary</li> <li>24 Conviction or attainder not to work corruption of blood or forfeiture of estate , no forfeiture for <i>felo de se</i> , no deodands , no approvers , sentence of death when to be executed</li> <li>25 Property of convicts, how disposed of</li> <li>26 Restitution, how enforced</li> <li>27 Restitution in cases of embezzlement</li> <li>28 Removed cases, where sentence of imprisonment.</li> </ul> |
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INDICTMENT, FALSE PRETENCES, GAMING AND LOTTERIES

1. Whenever the misnomer of any defendant or defendants is pleaded in abatement to any indictment in any of the courts of this State having criminal jurisdiction, it shall be lawful for the State's attorney prosecuting the same, or other person prosecuting for the State, on application to the court, to amend the said indictment by inserting in the place of the name or names so erroneously set forth in the said indictment, the true name or names of such party or parties, as disclosed in the said plea of abatement, and it shall be the duty of the clerk of the court to indorse the amendment, and to enter the said case upon the docket of the court, according to the true name or names of the party or parties so indicted.

2. Whenever it shall appear after a jury sworn on any indictment, in any of the courts of this State having criminal jurisdiction, that

Art 30, s 79.  
1852, c 176, s 1  
Indictments,  
etc  
How misnomer  
of defendants  
amended

Id s 80  
1852, c 176, s 2  
Amendments of