

shall be sentenced to undergo a confinement in the penitentiary for not less than two nor more than ten years.

Railroads—Obstructing.

P. G. L., (1860,) art 30, sec. 159. 1839, ch. 10, sec. 1.

230. If any person shall place anything, or cause anything to be placed on any railroad in this State, calculated to obstruct, overthrow or direct from the track of such railroad, any car, vehicle or carriage, travelling or passing on such railroad, or shall break or injure in any manner any railroad in this State, with the view or intent to obstruct or overthrow any car, vehicle or carriage, such person so offending shall be deemed guilty of felony, and upon conviction thereof, shall be sentenced to the penitentiary for not less than two years nor more than ten years.

Ibid. sec 160. 1839, ch. 10, secs. 2-3.

231. If the death of any person shall be occasioned by the overthrow or obstruction of any railroad car, vehicle or carriage, produced by the placing of anything or obstruction on any railroad, or by breaking or injuring any railroad, or any bridge attached thereto, in violation of the preceding section, then the person so placing the thing or obstructing, or breaking or injuring, shall be deemed guilty of murder.

Rape.

P. G. L., (1860,) art. 30, sec. 161. 1809, ch. 138, sec. 4.

232. Every person convicted of the crime of rape, or as being accessory thereto before the fact, shall, at the discretion of the court, suffer death, or undergo a confinement in the penitentiary for not less than eighteen months nor more than twenty-one years; and penetration shall be evidence of rape, without proof of emission.

State v. Sutton, 4 Gill, 498. Stevens v. State, 66 Md. 202.

Ibid. sec. 162. 1809, ch. 138, sec. 4.

233. If any person shall carnally know and abuse any woman child under the age of ten years, every such carnal knowledge shall be deemed felony, and the offender, being convicted thereof, shall, at the discretion of the court, suffer death, or undergo a confine-