

ASSAULT AND BATTERY.

P. L. L., (1860,) art. 4, sec. 155.

71. Any person who shall, without any provocation, assault and beat any person in any of the streets, lanes, alleys or highways of the city of Baltimore, or at any place of public resort or amusement, between the hours of six o'clock in the evening and six o'clock the following morning, or who shall counsel, aid or abet in such assault and battery, shall be fined in a sum not less than twenty-five dollars and imprisoned not less than one month; or the judge of the criminal court of Baltimore city, or the judge having jurisdiction of the offence, may, in his discretion, sentence the person convicted of such offence to confinement in the penitentiary for a period not less than six months nor more than two years.

Ibid. sec. 156.

72. It shall not be necessary to state with more particularity than is now necessary in proceedings for assaults and batteries, the 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.

Ibid. sec. 157.

73. 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.

AUCTIONS.

P. L. L., (1860,) art 4, sec. 85.

74. All real estate, and all goods, wares, merchandise, stock, and every other species of personal property whatever, (except goods and other property belonging to this State or the United States, or which shall be seized by any public officer for or on account of any penalty or forfeiture, or taken in execution, and