

oned in jail not more than two years nor less than six months and be fined not more than one hundred dollars; but if any person is arrested or indicted a second time or more for such offense he shall be convicted only on proof that he has continued to be a common thief or pickpocket for at least one month since his last conviction or acquittal, and it shall be necessary to charge in the indictment only that the person is a common thief or common pickpocket, and any evidence, either of facts or reputation, proving that such person is habitually and by practice a thief or pickpocket shall be sufficient for his conviction if satisfactorily establishing the fact to the court or jury by whom he is tried, and there shall be no discretion in any police officer or justice of the peace to discharge or release any person who is by such proof before them or knowledge on their part shown to be a thief or pickpocket as aforesaid, but such person shall be bailed or committed for trial, and no conviction or charge of, or for being a common thief or pickpocket shall prevent any such person from being tried and convicted for any particular act of larceny he may have committed.

World v. State, 50 Md. 55.

1888, art. 27, sec. 256. 1864, ch. 38.

393. If any person shall be arrested at any place on the line of the Baltimore and Ohio railroad, or on the line of the Northern Central railroad, or on the line of the Philadelphia, Wilmington and Baltimore railroad, or the Baltimore and Potomac railroad, or the Western Maryland railroad, or any other railroad running out of Baltimore city, or in any of the cars or depots, or at any of the stations on said roads, or on any ferry boat employed to carry passengers over any part of said roads and within the limits of this State, charged with being a common thief or pickpocket, such person may be taken before any justice of the peace of the county in which said place, or depot or station may be situated; or if such person be arrested in any car or on any ferry boat, before any justice of the peace of the nearest convenient county or of the city of Baltimore;* and such justice shall on proof as provided in the preceding section commit or bail such person for trial before the circuit court for the county, or the criminal court of Baltimore, as the case may be; and all police officers of Baltimore city, and all conductors of trains and police employed by any of said railway companies, and all constables and bailiffs of any

* Station house justice