

1904, art. 57, sec. 11. 1888, art. 57, sec. 10. 1860, art. 57, sec. 10. 1777, ch. 6. 1801, ch. 74, sec. 32.

11. No prosecution or suit shall be commenced for any fine, penalty or forfeiture, or any misdemeanor, except those punished by confinement in the penitentiary, unless within one year from the time of the offense committed.

The presentment, if valid, begins the prosecution and stops the running of the statute. If the presentment is invalid and the indictment is found more than one year after the commission of the offense, the statute is a bar. *State v. Keifer*, 90 Md. 171.

Although a decision on a *scire factas* against a defendant involves a forfeiture of its franchise, this section has no application. The act of 1777, ch. 6, shows the meaning of this section. *Washington, etc., Turnpike Road v. State*, 19 Md. 294.

A prosecution for being a common thief must be commenced within one year. Acts of larceny prior to such period are not admissible in evidence. *World v. State*, 50 Md. 55.

This section applies to a prosecution for Sunday liquor selling. *Seim v. State*, 55 Md. 570; *State v. Popp*, 45 Md. 438.

This section applies to a prosecution under article 12 for bastardy. *Bake v. State*, 21 Md. 426.

As to how this section should be pleaded in a prosecution under article 12, see *Neff v. State*, 57 Md. 391.

Where an offense may be punished by confinement in the penitentiary, it is within the exception of this section. *Schaumloeffel v. State*, 102 Md. 472.

*Ibid.* sec. 12. 1888, art. 57, sec. 11. 1860, art. 57, sec. 11.  
1723, ch. 16, sec. 13.

12. All actions or prosecutions for blasphemy and Sabbath breaking, or drunkenness shall be made within one month after the fact.

This section has no application to a prosecution for Sunday liquor selling. *Seim v. State*, 55 Md. 570; *State v. Popp*, 45 Md. 438.

The act of 1723, ch. 16, section 13, discussed and construed. *State v. Popp*, 45 Md. 436.

*Ibid.* sec. 13. 1888, art. 57, sec. 12. 1860, art. 57, sec. 12. 1833, ch. 258, sec. 1.

13. The fees of attorneys, solicitors, clerks, registers, sheriffs, constables and other officers shall be collected in three years from their date, and not after.

How this section should be pleaded to a suit on a sheriff's bond for fees placed in his hands for collection by a former clerk. A fee debtor may rely upon this section. *Jamison v. State*, 55 Md. 104.

*Ibid.* sec. 14. 1888, art. 57, sec. 13. 1868, ch. 357.

14. In all actions where a party has a cause of action of which he has been kept in ignorance by the fraud of the adverse party, the right to bring suit shall be deemed to have first accrued at the time at which such fraud shall or with usual or ordinary diligence might have been known or discovered.

Where the fraud is concealed, or is of such a character as to conceal itself, whereby the plaintiff remains in ignorance without any lack of diligence on his part, the statute only begins to run when the fraud is discovered, though there be no special effort on the part of the defendant to conceal such fraud—there need be no independent fraud. *Reeder v. Lanahan*, 111 Md. 384; *New England Ins. Co. v. Swain*, 100 Md. 572; *Wear v. Skinner*, 46 Md. 264; *Cf. State v. Henderson*, 54 Md. 341.