

This section held to have no application to members of social club who obtain liquor at the club by paying into common fund the price fixed by such club. *Seim v. State*, 55 Md. 567. And see *Conococheague Club v. State*, 116 Md. 322.

Special plea to indictment under this section held insufficient; evidence. *Lansman v. State*, 142 Md. 399.

This section held to be in force in Anne Arundel county notwithstanding act of 1886, ch. 383; indictment sustained, *Flood v. State*, 103 Md. 692.

Suffering persons to bet upon games of cards in a tavern on the Sabbath, held a violation of act of 1723, ch. 16, sec. 11. *State v. Fearson*, 2 Md. 312.

This section referred to in construing art. 56, sec. 110—see notes thereto. *Seick v. State*, 94 Md. 72.

See notes to sec. 483.

An. Code, sec. 438. 1904, sec. 386. 1888, sec. 249. 1834, ch. 244. 1847, ch. 193. 1866, ch. 66. 1874, ch. 71.

**485.** It shall not be lawful to keep open or use any dancing saloon, opera house, ten pin alley, barber saloon or ball alley within this State on the Sabbath day, commonly called Sunday; and any person or persons, or body politic or corporate, who shall violate any provision of this section, or cause or knowingly permit the same to be violated by a person or persons in his, her or its employ shall be liable to indictment in any court of this State having criminal jurisdiction, and upon conviction thereof shall be fined a sum not less than fifty dollars nor more than one hundred dollars, in the discretion of the court, for the first offense; and if convicted a second time for a violation of this section, the person or persons, or body politic or corporate shall be fined a sum not less than one hundred nor more than five hundred dollars; and if a natural person shall be imprisoned, not less than ten nor more than thirty days in the discretion of the court; and in the case of any conviction or convictions under this section subsequent to the second, such person or persons, body politic or corporate shall be fined on each occasion a sum at least double that imposed upon him, her, them or it on the last preceding conviction; and if a natural person, shall be imprisoned not less than thirty nor more than sixty days in the discretion of the court; all fines to be imposed under this section shall be paid to the State.

Indictment should name the person to whom liquor was sold, or state that purchaser was unknown to jurors. The particular Sunday upon which the liquor was sold need not be stated in indictment. *Capritz v. State*, 1 Md. 573.

See notes to secs. 483 and 484.

### Sodomy.

An. Code, sec. 439. 1904, sec. 387. 1888, sec. 250. 1793, ch. 57, sec. 10. 1809, ch. 138, sec. 4.

**486.** Every person convicted of the crime of sodomy shall be sentenced to the penitentiary for not less than one year nor more than ten years.

An assault with intent to commit sodomy, held to be punishable by act of 1793, ch. 57. In indictment for sodomy, it is unnecessary to lay the *caraliter cognovit*. *Davis v. State*, 3 H. & J. 157.

An. Code, sec. 439A. 1916, ch. 616.

**487.** Every person who shall be convicted of taking into his or her mouth the sexual organ of any other person or animal, or who shall be convicted of placing his or her sexual organ in the mouth of any other person or animal, or who shall be convicted of committing any other unnatural or perverted sexual practice with any other person or animal, shall