

State, shall be sentenced to death or to the penitentiary for not more than thirty years, in the discretion of the Court.

Evidence held not sufficient to warrant extradition to Canada of alleged fugitive for kidnaping. *Vaccaro v. Collier*, 38 Fed. (2nd), 863.

Federal officer lawfully arresting man in Canada was guilty of kidnaping if he carried him forcibly in U. S. *Collier v. Vaccaro*, 51 Fed. (2nd), 17.

An. Code, 1924, sec. 317. 1912, sec. 284. 1904, sec. 260. 1888, sec. 155. 1819, ch. 132. 1910, ch. 46 (p. 92). 1933, ch. 589, sec. 317. 1935, ch. 283, sec. 317.

**317.** Every person, his counsellors, aiders or abettors, who shall be convicted of kidnaping and forcibly or fraudulently stealing, taking or carrying away any child under the age of sixteen years shall be sentenced to death or to the penitentiary for not more than thirty years, in the discretion of the Court.

### Larceny.

An. Code, 1924, sec. 318. 1912, sec. 285. 1904, sec. 261. 1888, sec. 156. 1715, ch. 26. 1809, ch. 138, sec. 6. 1882, ch. 84. 1933 (Special Sess.), ch. 78, sec. 318.

**318.** Every person convicted of the crime of larceny to the value of twenty-five dollars or upwards, or as accessory thereto before the fact shall be deemed guilty of a felony, and shall restore the money, goods or things taken to the owner, or shall pay him the full value thereof, and be sentenced to the penitentiary for not more than fifteen years, or to the House of Correction or Jail for not more than ten years.

One who procures another to commit larceny is, if present, guilty as principal, and, if absent, as accessory. *Master and Servant*. *Stansbury v. Luttrell*, 152 Md. 562.

This section does not require one whose money has been taken to wait until after conviction to recover it. *Rasin v. State*, 153 Md. 439.

An. Code, 1924, sec. 319. 1912, sec. 286. 1904, ch. 262. 1888, sec. 157. 1809, ch. 138, sec. 6. 1868, ch. 214. 1933 (Special Sess.), ch. 78, sec. 319.

**319.** If any person shall steal, take or carry away personal goods of another under the value of twenty-five dollars and being thereof convicted he shall be deemed guilty of a misdemeanor, and shall restore the goods and chattels so stolen or pay the full value thereof to the owner thereof, and be fined not more than fifty dollars or imprisoned for not more than eighteen months in the House of Correction or jail, or both fined and imprisoned; provided that all actions or prosecutions hereunder shall be commenced within two years after the commission of said offense.

All prosecutions for violations of the provisions of this section may be either upon presentment and indictment in any court having criminal jurisdiction in this State, or by trial before any justice of the peace in and for the county where the offense occurs (but not applicable to the justices of the peace in and for Baltimore City, who have no such power or jurisdiction conferred upon them by virtue of this Act), and jurisdiction original and concurrent with the said courts having criminal jurisdiction is hereby given to the said justices of the peace (excluding the justices of the peace in Baltimore City), and they shall have power to issue all processes