

any other person, for the recovery of the money received or property taken, or the value thereof.

Where money and bonds have been stolen by A from B, B's remedy is in a civil action under this section, and not by bill in equity. *Fletcher v. Hooper*, 32 Md. 213.

An. Code, 1924, sec. 576. 1912, sec. 519. 1904, sec. 460. 1888, sec. 304. 1853, ch. 175, sec. 1.

679. If any person who has removed his trial shall be convicted of any offense punishable by fine or imprisonment, the court shall (if the sentence be imprisonment) sentence him to confinement in the jail of the county or city from which such removal took place; and it shall be the duty of the sheriff of the county or city where such conviction may be had to place the person convicted in the custody of the sheriff of the county or city in which the indictment was found, together with a certified copy of the docket entries in the case.

An. Code, 1924, sec. 577. 1912, sec. 520. 1904, sec. 461. 1894, ch. 402, sec. 304A. 1902, ch. 494. 1927, ch. 608.

680. The courts may suspend sentence generally or for a definite time, and may make such orders and impose such terms as to costs, recognizance for appearance, or matters relating to the residence or conduct of the convicts as may be deemed proper; and if the convict is a minor, the courts may also make such orders as to his detention in any care or custody as may be deemed proper.

In all cases where sentence has been suspended by the Court, the defendant shall have the right to appeal to the Court of Appeals in the same manner as if sentence or judgment had been entered in said case.

This section does not authorize court, in suspending sentence, to impose payment of monthly fine or penalty. Appeal. *Kelly v. State*, 151 Md. 99 (decided prior to act 1927, ch. 608).

Suspension of sentence, infant traversers being paroled in the custody of their fathers, upheld under this section; appeal dismissed. *Symington III. v. State*, 133 Md. 453. *Cf. Pritchett v. State*, 140 Md. 315.

See art. 3, sec. 60, Md. Constitution.

1927, ch. 398.

681. Whenever any person shall have been convicted of any offense in any of the Courts of Record, of this State, having criminal jurisdiction, and the judge presiding therein shall not have imposed sentence or shall have suspended sentence generally or for a definite time or shall have placed the offender upon probation, or shall have made such other order and imposed such other terms as he may deem proper, and said person should at any time thereafter be brought before the Court to be sentenced upon the original charge of his conviction, or for a violation of the terms and conditions of the order of probation in the case, the judge who may then be presiding in that particular Court may proceed to sentence the said person.

Cited in *Rahe v. State*, 175 Md. 691.

An. Code, 1924, sec. 578. 1912, sec. 521. 1906, ch. 536.

682. In all cases where the law prescribing a punishment for crime fixes a maximum and a minimum penalty therefor, the judge of the Criminal Court of Baltimore and the several judges of the Circuit Courts of the counties may, in lieu of the minimum penalty so prescribed, impose a less penalty of the same character; provided, however, that nothing herein contained shall be construed as affecting any maximum penalty fixed by