

An. Code, sec. 110. 1904, sec. 101. 1888, sec. 73. 1798, ch. 101, sub-ch. 2, sec. 1.

**127.** If any person to whom a will or codicil shall be delivered by the party making it for safe custody shall destroy the same without the direction of the said party, or wilfully secrete it for the space of six months after the death of the party shall be known to him, on conviction thereof the person so offending shall be sentenced to the penitentiary for not less than eighteen months nor more than fifteen years.

Cited but not construed in *Dick v. State*, 107 Md. 22.

An. Code, sec. 111. 1904, sec. 102. 1888, sec. 74. 1820, ch. 162, sec. 1.

**128.** If any president or director of any bank chartered by the laws of this State shall fraudulently embezzle, secrete or make way with any money, goods, bill, note, bond, check, evidence of debt or other valuable security or effects belonging to such bank, every such offender, his adviser, procurer, aider or abettor shall be deemed guilty of felony, and on conviction thereof shall be sentenced to the penitentiary for not less than five nor more than fifteen years.

An. Code, sec. 112. 1904, sec. 103. 1888, sec. 75. 1820, ch. 162, sec. 2. 1880, ch. 458. 1886, ch. 310. 1914, ch. 329.

**129.** Whosoever being a cashier, servant, agent, or clerk to any person, or whosoever being a cashier, servant, agent, officer, or clerk to any body corporate, or being employed for the purpose or in the capacity of a cashier, servant, agent, officer or clerk, by any person or body corporate shall fraudulently embezzle any money, goods, bill, note, bond, check, evidence or <sup>1</sup> debt, or other valuable security or effects which, or any part whereof, shall be delivered to or received, or taken into possession by him, for or in the name or on account of his master or employer, shall be deemed to have feloniously stolen the same from his master or employer, although such money, goods, bill, note, bond, check, evidence of debt, or other valuable security or effects was not received into the possession of such master or employer, otherwise than by the actual possession of his cashier, servant, agent, officer, clerk or other person so employed, and being convicted thereof, shall be punished by imprisonment in the jail or house of correction, for not more than three years, or in the penitentiary for not more than fifteen years,<sup>2</sup> in every indictment for a violation of this Section, when the offense shall relate to coin or notes circulating as money, it shall be sufficient to allege the embezzlement to be of money, without specifying any particular coin or notes circulating as money; and such allegation, so far as regards the description of the property, shall be sustained if the offender shall be proved to have embezzled any amount of coin or notes circulating as money, although the particular species of coin or notes circulating as money, of which such amount was composed, shall not be proved.

Where agent of a piano company collected and failed to report money belonging to company, not off-set by compensation due him, and such money was not treated by company as an ordinary debt, the case presents every indication of embezzlement *Jordan v. Piano Co.*, 140 Md. 212.

<sup>1</sup> Probably a typographical error in the act.

<sup>2</sup> The punctuation of this line is just as it appears in the act.