

to bring such person before him; and if he shall think proper to take of him a recognizance to keep the peace, he shall insert in the condition that such person shall not, during the time for which he is bound, directly or indirectly, be concerned in a duel, either with the persons suspected or any other person, within the time limited by the recognizance.

### **Embezzling Property and Writings.**

An. Code, 1924, sec. 126. 1912, sec. 109. 1904, sec. 100. 1888, sec. 72. 1715, ch. 11. 1809, ch. 138, sec. 8.

**137.** Every person convicted of wilfully or corruptly embezzling, stealing, withdrawing, impairing, razing or altering any will, testament, codicil, patent, deed, or assignment of a patent, writ, return, record, or parcel of the same, within this State, whereby the estate or right of any person shall or may be defeated, injured or any way altered, shall be sentenced to the penitentiary for not less than three nor more than seven years.

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

As to defaulters, see sec. 81.

As to indictments for embezzlement, see sec. 655.

An. Code, 1924, sec. 127. 1912, sec. 110. 1904, sec. 101. 1888, sec. 73. 1798, ch. 101, sub-ch. 2, sec. 1.

**138.** 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, 1924, sec. 128. 1912, sec. 111. 1904, sec. 102. 1888, sec. 74. 1820, ch. 162, sec. 1.

**139.** 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, 1924, sec. 129. 1912, sec. 112. 1904, sec. 103. 1888, sec. 75. 1820, ch. 162, sec. 2. 1880, ch. 458. 1886, ch. 310. 1914, ch. 329.

**140.** 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

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