

merged in the felony, but the indictment may contain counts for the said felony and also for the misdemeanor.

Burke v. State, 2 H. & J. 429 *State v. Sutton*, 4 Gill. 498. *Manly v. State*, 7 Md. 135. *State v. Bell*, 27 Md. 678. *Wheeler v. State*, 42 Md. 563. *Gibson v. State*, 54 Md. 453. *State v. McNally*, 55 Md. 563.

Indictments—False Pretenses.

1888, art. 27, sec. 288. 1860, art. 30, sec. 84. 1835, ch. 319, sec. 2.

440. In any indictment for false pretenses it shall not be necessary to state the particular false pretenses intended to be relied on in proof of the same, but the defendant, on application to the State's attorney before the trial, shall be entitled to the names of the witnesses and a statement of the false pretenses intended to be given in evidence.

Jules v. State, 85 Md. 309 *Keifer v. State*, 87 Md. 565.

Indictments—Gaming—Lotteries—Amendment.

Ibid. sec. 289. 1860, art. 30, sec. 85. 1856, ch. 195, secs 1, 10.

441. In any indictment for violation of the law prohibiting gaming, or for violation of the law prohibiting the drawing of lotteries or the selling of lottery tickets or other device in the nature thereof, it shall not be necessary to set forth the particular kind of gaming or gaming table, or to set forth the particular scheme of lottery, but it shall be sufficient if the indictment sets forth that the defendant kept a "gaming table," or that "he drew a lottery," or sold a "lottery ticket," as the case may be, but the defendant may, by application to the State's attorney, obtain a statement more particularly describing the offense intended to be proved under such indictment.

Hammond v. State, 14 Md. 147.

Ibid. sec. 290. 1860, art. 30, sec. 86 1785, ch. 80, sec. 4.
1852, ch. 176, sec. 2.

442. All indictments under the preceding section may be amended at any time before verdict so as to present properly the merits of the charge; and the court may permit such amendment after the jury is sworn, and proceed with the trial, or the court may, in its discretion, allow a juror to be withdrawn and continue the case.