

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; in every indictment for a violation of this section, when the offence 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.

Kind of money.

SEC. 2. *And be it enacted*, That this act shall take effect from the date of its passage.

Effective.

Approved April 7, 1886.

CHAPTER 311.

AN ACT to repeal section thirty-seven, article seventy-five of the Code of Public General Laws, relating to affidavits for continuance on account of absence of witnesses, and to re-enact the same with amendments.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That section thirty-seven of article seventy-five of the Code of Public General Laws, relating to affidavits for continuance on account of absence of witnesses, be and the same is hereby repealed and re-enacted, so as to read as follows:

Repealed and re-enacted.

SEC. 37. The Court may examine on oath a party making the affidavit under the preceding section, as it regards the materiality of the testimony, the probability of procuring the