

usually known or by the purport thereof, without setting out any copy or fac-simile of the whole or any part thereof.

This section only relates to the manner of alleging the facts and bringing them upon the record, but does not dispense with the necessity of their averment in the indictment; the instrument (mentioned in this section) should be sufficiently identified in the indictment; indictment held defective. *State v. Blizzard*, 70 Md. 387.

An allegation that the intent was to defraud K., the cashier of the Hagerstown bank, being surplusage, was proper to be disregarded; hence allowing it to be stricken out was an amendment in form merely. *Hawthorne v. State*, 56 Md. 535.

This section held not to cure an indictment under section 423 which was substantially defective because it did not allege that the obligations or certificates were "granted by or under the authority of the United States." *Kearney v. State*, 48 Md. 25.

As to counterfeiting and forgery, see section 41, *et seq.*

As to false pretenses, see section 122, *et seq.*

See notes to section 498.

Indictments—Robbery, Larceny, Embezzlement, False Pretenses Relating to Money.

1904, art. 27, sec. 444. 1898, ch. 120, sec. 291A.

502. In every indictment for robbery, larceny or embezzlement of any kind, when the offense shall relate to money, and in every indictment for obtaining money by false pretenses or for receiving stolen money, or for any kind of fraudulent conversion of money, and in every other indictment, whenever it shall become necessary to make any averment as to money, it shall be sufficient to describe said money as so much current money, or so many dollars, or dollars and cents current money, without specifying any particular coins, or notes, or certificates, circulating as money, or other species of money; and such allegation, so far as regards the description of the money, shall be sustained by proof of any amount of coin, or notes or certificates circulating as money or other species of money, although the particular species of coin, or notes or certificates circulating as money, or other species of money, of which said amount was composed, shall not be proved.

An indictment for larceny held sufficient in view of this section, both as to the money alleged to have been stolen and as to the allegation of ownership; surplusage. *State v. King*, 95 Md. 128.

As to defaulters, see section 73.

As to embezzling property and writings, see section 100, *et seq.*

As to false pretenses, see section 122, *et seq.*

As to larceny, see section 285, *et seq.*

As to the penalty for robbery, see section 434.

Indictments—Arson or Burning.

Ibid. sec. 445. 1904, ch. 267, sec. 291D.

503. In any indictment for arson or burning, where it shall be necessary to allege that the person or persons accused did the act with intent thereby to injure or defraud, it shall be sufficient to allege that the person or persons accused committed the act with intent to injure or defraud, without alleging an intent to injure or defraud any particular person; and upon the trial of any person for the offense of arson or