

**39.** On complaint made on the oath of one credible witness, to the effect that there is just cause to suspect that any person is or has been concerned in making or counterfeiting any bank-notes or bills of the bank, any magistrate may, by warrant under his hand, cause the dwelling-house, room, workshop, out-house or other building, yard, garden, or other place, where such persons shall be suspected of carrying on such making or counterfeiting, to be searched; and all such counterfeit bank bills, and notes and such plates, dies, rolling presses, tools, instruments and material used in, or apparently adapted to the making or counterfeiting of such bills or notes as shall be found therein or thereon, shall forthwith be carried before the same or any other magistrate, who shall cause them to be returned and produced upon any prosecution in relation thereto, in any court of justice: and the same after being so produced in evidence shall be defaced or destroyed, or otherwise disposed of at the discretion of the court.

Search warrant for and seizure and destruction of counterfeit notes, etc.

**40.** If the cashier, assistant cashier, manager, clerk or servant of the bank shall secrete, embezzle or abscond with any bond, obligation, bill obligatory, or of credit, or other bill or note, or any security for money, or any money or effects intrusted to him as such cashier, assistant cashier, manager, clerk or servant, whether the same belong to the said bank, or belong to any person or persons, body or bodies, politic or corporate, or institution or institutions, and be lodged with the said bank, the said cashier, assistant cashier, manager, clerk or servant so offending and being thereof convicted in due form of law, shall be deemed guilty of felony.

Embezzlement by officer of bank to be felony.

**41.** Any person guilty of felony under this act shall be punished by imprisonment at hard labour in the provincial penitentiary for any term not less than two years, or by imprisonment in any other gaol or place of confinement for any term less than two years, in the discretion of the court.

Punishment of such felony.

**42.** This Act shall remain in force until the first day of June, which will be in the year of our Lord one thousand eight hundred and seventy, and from that time until the end of the then next session of parliament of this Province.

Duration of Act.

**43.** This act shall be deemed a public act.

Public Act.

SCHEDULE A.

*Referred to in the foregoing Act.*

Return of the average amount of liabilities of the "Bank of London" during the period from the first of one thousand eight hundred and to the last day of the said month.

LIABILITIES.	
Promissory notes in circulation not bearing interest.....	\$
Bills of exchange in circulation not bearing interest....	\$
Bills and notes in circulation bearing interest.....	\$
Balances due to other banks.....	\$
Cash deposits not bearing interest.....	\$
Cash deposits bearing interest.....	\$
Total average liabilities.....	\$