

ing any particular Coin or valuable Security ; 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, although the particular Species of Coin or valuable Security of which such Amount was composed shall not be proved ; or if he shall be proved to have embezzled any Piece of Coin or valuable Security, or any Portion of the Value thereof, although such Piece of Coin or valuable Security may have been delivered to him in order that some Part of the Value thereof should be returned to the Party delivering the same, and such Part shall have been returned accordingly.

As to Allegation and Proof of the Property embezzled.

‘ XVIII. And Whereas a Failure of Justice frequently arises from the subtle Distinction between Larceny and Fraud ;’ For Remedy thereof be it enacted, That if any Person shall by any false Pretence obtain from any other Person any Chattel, Money or valuable Security, with Intent to cheat or defraud any Person of the same, every such Offender shall be guilty of a Misdemeanor, and being convicted thereof shall be liable to suffer such Punishment, by Fine or Imprisonment, or both, as the Court shall award ; the Imprisonment to be either with or without hard Labour as the Court shall see fit, and not in any Case to exceed the Term of Two Years ; provided always, that if upon the Trial of any Person indicted for such Misdemeanor it shall be proved that he obtained the Property in Question in any such Manner as to amount in Law to Larceny, he shall not by reason thereof be entitled to be acquitted of such Misdemeanor ; and no Person tried for such Misdemeanor shall be liable to be afterwards prosecuted for Larceny upon the same Facts.

Obtaining Money &c., by false Pretences a Misdemeanor.

No Acquittal on the ground that the Case proved amounts to Larceny.

‘ XIX. And with regard to Receivers of stolen Property ;’ Be it enacted, That if any Person shall receive any Chattel, Money, valuable Security,

Where the original Offence is Felony, the Receivers of stolen