

*This Proviso:* in such Debentures. Provided always, that the said Bank shall not be bound to invest any portion of its capital in Debentures under the provisions of this section, *unless it shall have availed itself of the power to increase its capital stock to an amount exceeding one hundred thousand pounds.*

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Punishment of embezzlement &c., by Bank Officers.

**XI.** If any Cashier, Assistant Cashier, Manager, Clerk or servant of the said 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 moneys, or effects, intrusted to him as such Cashier, Assistant Cashier, Manager, clerk or servant, whether the same belong to the said Bank, or belonging to any other persons, body or bodies politics or corporate, or institution, or institutions, be lodged and deposited with the said Bank, the Cashier, Assistant Cashier, Manager, Clerk or servant, so offending, and being thereof convicted in due form of law, shall be deemed guilty of felony.

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Imprisonment over two years to be in Penitentiary.

**XLI.** Every person convicted 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 less term than two years, in the discretion of the Court before which he shall be convicted.

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Power to search for forged notes or machinery used for forging.

**XLII.** It shall be made lawful to and for any Justice of the Peace, on complaint made before him, upon the oath of one credible person, that there is just cause to suspect than any one or more person or persons is or are, or hath or have been concerned in making or counterfeiting any false bills of exchange, promissory notes, undertakings or orders of the said Bank, or hath in his possession any plates, presses or other instruments, tools or materials for making or counterfeiting the same or any part thereof, by warrant under the hand of such Justice, to cause the dwelling house, room, workshop, or out-house or other building, yard, garden, or other place, belonging to such suspected person or persons, or where any such person or persons shall be suspected of carrying on any such making or counterfeiting, to be searched; and if any such false bills of exchange, promissory notes, undertakings or orders, or any plates, presses, or other tools, instruments or materials, shall be found in the custody or possession of any person or persons whomsoever, not having the same by some lawful authority, it shall and may be lawful to and for any person or persons whomsoever, discovering the same, to seize, and he or they are hereby authorize and required to seize such false or counterfeit bills of exchange, promissory notes, undertakings or orders, and such plates, presses, or other tools, instruments or materials, and to carry the same forthwith before a Justice of the Peace of the County or District (or if more convenient, of the adjoining County or District,) in which the same shall be seized, who shall cause the same to be secured and produced in evidence against any person or persons who shall or may be prosecuted for any of the offences aforesaid, in some Court of Justice proper for the determination thereof, and the same, after being so produced in evidence, shall by order of the Court be defaced or destroyed, or otherwise disposed of, as such Court shall direct.

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How dealt with if found.

Duration of Act.

**XLIII.** This Act shall be and 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 the Parliament of this Province, and no longer.

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