

thereof, shall be liable to be imprisoned for any term, not exceeding seven 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 such indictment shall be removeable by Certiorari, and no person tried for such Misdemeanor shall be liable to be afterwards prosecuted for Larceny upon the same facts.

No acquittal because the case amounts to Larceny

And with regard to receivers of stolen property :

XLV. *Be it enacted*, That if any person shall receive any chattel, money, valuable security or other property whatsoever, the stealing or taking whereof shall amount to a Felony, either at Common Law or by virtue of this Act, such person, knowing the same to have been feloniously stolen or taken, every such receiver shall be guilty of Felony, and may be indicted and convicted, either as an accessory after the fact, or for a substantive Felony, and, in the latter case, whether the principal Felon shall or shall not have been previously convicted, or shall or shall not be amenable to justice, and every such receiver, howsoever convicted, shall be liable to be imprisoned for any term not exceeding seven years ;

Receivers of stolen property when guilty of Felony

Provided always, That no person however tried for receiving, as aforesaid, shall be liable to be prosecuted a second time for the same offence.

Proviso

XLVI. *And be it further enacted*, That if any person shall receive any chattel, money, valuable security or other property whatsoever, the stealing, obtaining, or converting whereof, is made an indictable Misdemeanor by this Act, such person knowing the same to have been unlawfully stolen, taken, obtained or converted, every such receiver shall be guilty of a Misdemeanor, and may be indicted and convicted thereof, whether the person guilty of the principal Misdemeanor, shall or shall not have been previously convicted thereof, or shall or shall not be amenable to justice, and every such receiver shall, on conviction, be liable to be imprisoned for any term not exceeding seven years.

Receivers of stolen property when guilty of Misdemeanor

XLVII. *And be it further enacted*, That if any person shall receive any chattel, money, valuable security or other property whatsoever, knowing the same to have been feloniously or unlawfully stolen, taken, obtained or converted, every such person, whether charged as an accessory after the fact to the Felony, or with a substantive Felony, or with a Misdemeanor only, may be dealt with, indicted, tried and punished, in any County or place in which he shall have, or shall have had, any such property in his possession, or in any County or place, in which the party guilty of the principal Felony or Misdemeanor may by Law be tried, in the same manner as such receiver may be dealt with, indicted, tried and punished, in the County or place where he actually received such property.

Where to be tried

And to encourage the prosecution of offenders :

XLVIII. *Be it enacted*, That if any person, guilty of such Felony or Misdemeanor as aforesaid, in stealing, taking, obtaining or converting, or in knowingly receiving any chattel, money, valuable security or other property whatsoever, shall be indicted for any such offence by or on behalf of the owner of the property, or his Executor and Administrator, and convicted thereof—in such case the property shall be restored to the owner, or his representative ; and the Court, before whom any such person shall be so convicted, shall have power to award, from time to time, Writs of Restoration for the said property, or to order the restoration thereof in a summary manner. *Provided always*, that if it shall appear, before any award or order made, that any valuable security shall have been bona fide paid or discharged by some person or body corporate, liable to the payment thereof, or being a negotiable instrument, shall have been bona fide taken or received by transfer or delivery by some person or body corporate, for a just and valuable consideration, without any notice, or without any reasonable cause to suspect that the same had, by any Felony or Misdemeanor been stolen, taken, obtained or converted, as aforesaid, in such case, the Court shall not award or order the restitution of such security.

Owner of stolen property to have restitution

XLIX. *And be it enacted*, That any person who shall corruptly take any money or reward, directly or indirectly, under pretence or upon account of helping any person to any chattel, money, valuable security, or other property whatsoever, which shall, by any Felony or Misdemeanor, have been stolen, taken, obtained or converted as aforesaid, shall, (unless he cause the offender to be apprehended and brought to trial for the same,) be guilty of Felony; and, being convicted thereof, shall be liable to be imprisoned for any term not exceeding seven years.

Taking reward on pretence of helping to the recovery of stolen property