

be found to be unlawfully deposited or held, the Justice shall make such order for the restoration thereof to the lawful owner, as he considers right.

CLAUSE D.

The decision of such Justice shall be subject to appeal as in ordinary cases, on summary conviction; but before such appeal shall be allowed, the appellant shall enter into a recognizance in the manner by law provided in cases of appeal from summary convictions, to the value of the gold, or other property in question, that he will prosecute his appeal at the next sittings of any Court having jurisdiction in that behalf, and will pay the costs of the appeal in case of a decision against him, and in case of the defendant appealing, that he will pay such fine as the Court may impose, with costs.

CLAUSE E.

When any smelted gold, or silver, or any gold bearing quartz, or any unsmelted or otherwise unmanufactured gold or silver is found in the possession of any operative, workman or labourer, actively engaged in or on any mine, contrary to the provisions of any law in that behalf, such possession shall be *prima facie* evidence that the same has been stolen by him.

CLAUSE F.

In any indictment brought under any of the five next preceding sections, it shall be sufficient to lay the property in the Queen, or in any person or persons or corporation, in different counts in such indictment; and any variance in the latter case, between the statement in the indictment and the evidence adduced, may be amended at the trial, and if no owner be proved the indictment may be amended by laying the property in the Queen.

Page 22, Line 50. After "thereon" insert clause G.

CLAUSE G.

Any miller, warehouseman, factor, agent or other person, who after having given, or after any clerk or person in his employ, has to his knowledge given, as having been received by him, in any mill, warehouse, vessel, cove, or other place, any receipt, certificate or acknowledgement for grain, timber, or other goods or property, which can be used for any of the purposes mentioned in the Act passed in the thirty-first year of Her Majesty's Reign, and intitled: "An Act Respecting Banks," or any person who, after having obtained any such receipt certificate or acknowledgement, and after having endorsed, or assigned it to any bank or person, afterwards and without the consent of the holder or endorsee in writing, or the production and delivery of the receipt, certificate or acknowledgement—wilfully alienates or parts with, or does not deliver to such holder or endorsee of such receipt, certificate, or acknowledgement, the grain, timber, goods or property therein mentioned, is guilty of a misdemeanor, and shall be liable to be imprisoned in the Penitentiary for any term not exceeding three years, or in any other goal or place of confinement, for any term less than two years, but not less than one year; Provided that nothing in this section shall prevent the offender from being indicted and punished for larceny, instead of misdemeanor, if, as being a bailee, his offence amounts to larceny.

Page 23, Line 46. After "Confinement," insert Clause H.

CLAUSE H.

Whosoever for any purpose, or with any intent wrongfully and with wilful falsehood, pretends or alleges that he enclosed and sent, or caused to be enclosed and sent in any Post Letter any money, valuable security or chattel, which, in fact, he did not so enclose, and send or cause to be enclosed, and sent therein, is guilty of a misdemeanor, and shall be liable to be punished as if he had obtained the money, valuable security or chattel so pretended to be enclosed or sent by false pretences; and it shall not be necessary to allege in the indictment, or to prove on the trial that the act was done with intent to defraud.