

if such indictment shall have been preferred and found against two or more persons, it shall be lawful for the Jury who shall try the same, to find all or any of the said persons guilty, either of stealing the property or of receiving it knowing it to have been stolen; or to find one or more persons guilty of stealing the property, and the other or others of them guilty of receiving it knowing it to have been stolen.

Courts may cause indictments to be amended in certain cases.

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 II. And whereas a failure of justice frequently takes place in Criminal Trials, by reason of variances between writings produced in evidence, and the recital or setting forth thereof in the indictment or information, and the same cannot now be amended at the Trial, except in cases of misdemeanor: for remedy thereof, be it enacted, That it shall and may be lawful for any Court of Queen's Bench, or other Superior Court of Criminal Jurisdiction in Lower Canada, of Oyer and Terminer and General Gaol Delivery, in any part of this Province, if such Court shall see fit so to do, to cause the indictment or information for any offence whatever, when any variance or variances shall appear between any matter in writing or in print produced in evidence, and the recital or setting forth thereof in the indictment or information, whereon the trial is pending, to be forthwith amended in such particular or particulars by some officer of the Court, and after such amendment the trial shall proceed in the same manner in all respects, both with regard to the liability of witnesses to be indicted for perjury and otherwise, as if no such variance or variances had appeared.

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