

Section 284.—By substituting the following therefor :—

“284. Every one is guilty of an indictable offence and liable to seven years’ imprisonment who, with intent to deprive any parent or guardian of any child under the age of fourteen years, of the possession of such child, or with intent to steal any article about or on the person of such child, unlawfully—

(a.) takes or entices away or detains any such child ; or
(b.) receives or harbours any such child knowing it to have been dealt with as aforesaid.

2. Nothing in this section shall extend to any one who gets possession of any child, claiming in good faith a right to the possession of the child.

3. In this section the word “guardian” has the same meaning as it has in sections 183 and 186, as interpreted by section 186A.”

NOTE.—Section 284—Stealing of children under 14.

Section 285.—By substituting the following for subsection 1 thereof :—

“285. A defamatory libel is matter published, without legal justification or excuse, likely to injure the reputation of any person by exposing him to hatred, contempt or ridicule, or designed to insult the person [of or concerning] whom it is published.”

NOTE:—This clause was added by the Senate to the Bill of 1897. The subsection now has the word “to” in place of the words in square brackets.

Section 306.—By substituting the following therefor :—

“306. Every one commits theft and steals the thing taken or carried away who, whether pretending to be the owner or not, secretly or openly, takes or carries away, or causes to be taken or carried away, without lawful authority, any property under lawful seizure and detention [by any peace officer or public officer in his official capacity.]”

NOTE:—The only change is the addition of the words within square brackets.

In consequence of the absence of some such words the provisions of the section may be and have been taken advantage of to try private rights at the expense of the Crown, and even to brand as a criminal a party to a mere civil dispute arising out of a more or less doubtful question of law or fact.

The Senate in 1897 added the words “in his official capacity.”

By inserting the following section immediately after section 331 :—

[“331A. Every one is guilty of an indictable offence and liable to three years’ imprisonment who—

(a) without the consent of the owner thereof,

(i) fraudulently takes, holds, keeps in his possession, conceals, receives, appropriates, purchases or sells, or fraudulently causes or procures, or assists in taking possession of, concealing, appropriating, purchasing or selling any cattle which are found astray ; or

(ii) fraudulently, wholly or partially obliterates, or alters or defaces, or causes or procures to be obliterated, altered or defaced, any brand, mark or vent brand on any such cattle, or makes or causes or procures to be made any false or counterfeit brand, mark or vent brand on any such cattle ; or

(b) without reasonable cause refuses to deliver up any such cattle to the proper owner thereof or to the person in charge