

An Act further to amend the Criminal Code, 1892.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. Paragraphs (a) and (b) of subsection 1 of section 872 of *The Criminal Code, 1892*, as amended by chapter 57 of the statutes of 1894, are hereby repealed and the following are substituted therefor :—

1892, c. 29,
s. 872
amended

- 5 “(a.) that in default of payment thereof forthwith, or within a limited time, such penalty, compensation or sum of money shall be levied by distress and sale of the goods and chattels of the defendant, and, if sufficient distress cannot be found, that the defendant be imprisoned in the manner and for the
- 10 time directed by the Act or law authorizing such conviction or order or by this Act, or for any period not exceeding three months, with or without hard labour, if the Act or law authorizing the conviction or order does not specify imprisonment, or does not specify any term of imprisonment, unless
- 15 such penalty, compensation or sum of money and costs, if the conviction or order is made with costs, and the expenses of the expenses of the distress and of conveying the defendant to jail are sooner paid; or
- “ (b.) that in default of payment of the said penalty, com-
- 20 pensation or sum of money, and costs if any, forthwith or within a limited time, the defendant be imprisoned in the common jail or other prison of the said territorial division in the manner and for the time mentioned in the said Act or law, or for any period not exceeding three months, with or without
- 25 hard labour, if the Act or law authorizing the conviction or order does not specify imprisonment, or does not specify any term of imprisonment, unless the said sums with the like costs and expenses are sooner paid.”