

Punishment
for such of-
fence

person giving and the person accepting such receipt or acknowledgment shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be liable in the discretion of the Court to be imprisoned in the Provincial Penitentiary and kept at hard labour, for any period of time not exceeding three years, nor less than one year. 5

Persons frau-
dulently dis-
posing of
goods after
having re-
ceived ad-
vances upon
them to be
guilty of a
misdemeanor

Punishment
for such of-
fence

Proviso as to
partners not
conniving

II. And be it enacted, That if any owner of Merchandize, or other person in whose name Merchandize shall be shipped or delivered to the Keeper of any Warehouse, or other Factor, or Agent, or Carrier, to be shipped or carried, shall, after the advancement to him of any money, or the giving to him of any negotiable security by the Consignee of such Merchandize, and without the consent of such Consignee being therefor first had and obtained, make any disposition of such Merchandize different from 15 and inconsistent with that agreed upon between such owner or other person aforesaid and such Consignee at the time of such money being so advanced or such negotiable security being so given, with the intent to deceive, defraud or injure such Consignee, such owner or other person aforesaid, and each and every other persons conniving with him for the purpose of deceiving, defrauding or injuring such Consignee, shall be 30 deemed guilty of a misdemeanor, and upon conviction thereof, shall be liable to be, in the discretion of the Court before whom the conviction shall take place, imprisoned in the Provincial Penitentiary and kept at hard 35 labour, for any period of time not more than three years, nor less than one year: Provided, however, that no person shall be subject to prosecution under this section, who shall, before making such disposition as 40 aforesaid of such Merchandize, pay or tender to the Consignee the full amount of any advance made thereon.