

## THE CRIMINAL LAWS.

ing them to issue their warrant for the seizure of property at the risk of being made trespassers for unintentional errors; but it is impossible to leave persons whose goods are forcibly and illegally seized without adequate remedy. The design for the avoidance of litigation and cost is most laudable; but experience demonstrates the almost impossibility of carrying it into successful operation. The substitution of the simple process of the Division Court (irrespective of amount) for the cumbrous and costly machinery of arbitration would remove all difficulty. The cost need only be a few shillings; here the costs mentioned in the award are \$25."

What is wanted is a short statute repealing all these sections relating to arbitration, and giving jurisdiction to the Division Courts, with right of appeal to the Queen's Bench or Common Pleas in cases where the claim exceeds, say \$50. This is all that is needed to adjust a matter which has frequently proved the occasion of great trouble and loss of money to the officers of our Common School system.

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We hope hereafter to speak at further length of the consolidation of the Criminal Laws, which has been so thoroughly done by the labours of the learned gentlemen to whom it was entrusted. We have only space at present to give to our readers two of the Acts as they will appear in the coming volume of Statutes of 32-33 Victoria.

## CAP. XXVIII.

*An Act respecting Vagrants.*

[Assented to 22nd June, 1869.]

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

1.—All idle persons who, not having visible means of maintaining themselves, live without employment,—all persons who, being able to work and thereby or by other means to maintain themselves and families, willfully refuse or neglect to do so,—all persons openly exposing or exhibiting in any street, road, public place or highway any indecent exhibition, or openly or indecently exposing their persons,—all persons who, without a certificate signed, within six months, by a Priest, Clergyman or Minister of the Gospel, or two Justices of the Peace, residing in the municipality where the alms are being asked, that he or she is a deserving object of charity, wander about and beg, or who go about from door to door, or place

themselves in the streets, highways, passages or public places to beg or receive alms, all persons loitering in the streets or highways and obstructing passengers by standing across the footpaths or by using insulting language or in any other way, or tearing down or defacing signs, breaking windows, breaking doors or door plates, or the walls of houses, roads or gardens, destroying fences, causing a disturbance in the streets or highways by screaming, swearing or singing, or being drunk, or impeding or incommoding peaceable passengers,—all common prostitutes, or night walkers wandering in the fields, public streets or highways, lanes or places of public meeting or gathering of people, not giving a satisfactory account of themselves,—all keeper of bawdy-houses and houses of ill-fame, or houses for the resort of prostitutes, and persons in the habit of frequenting such houses, not giving a satisfactory account of themselves,—all persons who have no peaceable profession or calling to maintain themselves by, but who do for the most part support themselves by gaming or crime or by the avails of prostitution,—shall be deemed vagrants, loose, idle or disorderly persons within the meaning of this Act, and shall, upon conviction before any Stipendiary or Police Magistrate, Mayor or Warden, or any two Justices of the Peace, be deemed guilty of a misdemeanor, and be punished by imprisonment in any gaol or place of confinement other than the Penitentiary, for a term not exceeding two months and with or without hard labor, or by a fine not exceeding fifty dollars, or by both, such fine and imprisonment being in the discretion of the convicting Magistrate or Justices.

2.—Any Stipendiary or Police Magistrate, Mayor or Warden, or any two Justices of the Peace, upon information before them made, that any person hereinbefore described as vagrants, loose, idle and disorderly persons, are or are reasonably suspected to be harbored or concealed in any bawdy-house, house of ill-fame, tavern or boarding-house, may, by warrant, authorize any constable or other person to enter at any time such house or tavern, and to apprehend and bring before them or any other Justices, all persons found therein so suspected as aforesaid.

## CAP. XXXIII.

*An Act respecting the prompt and summary administration of Criminal Justice in certain cases.*

[Assented to 22nd June, 1869.]

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

1.—In this Act the expression "a competent Magistrate" shall, as respects the Province of Quebec and the Province of Ontario, mean and include any Recorder, Judge of a County Court, being a Justice of the Peace, Commissioner of Police, Judge of the Sessions of the Peace,