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2nd Session, 6th Parliament, 22 Victoria, 1859.

BILL.

An Act for the summary punishment of
certain offences.

Received and read, first time, Monday, 21st
February, 1859.

Second reading, Thursday, 24th Feby., 1859.

MR. PICHÉ.

TORONTO :

PRINTED BY JOHN LOVELL, YONGE STREET.

An Act for the summary punishment of certain offences.

HER Majesty, &c., enacts as follows :

Preamble.

I. Whoever insults, outrages or abuses another, otherwise than by personal violence, or who wounds or injures the sensibility, character, reputation or honor of any person, shall be punished for each such offence by a fine not exceeding the sum of *five pounds* currency, or by imprisonment for any period not exceeding two months, or by both the said penalties without prejudice to the costs.

Certain abuse, &c., punishable by fine or imprisonment.

II. The punishment of any such offence may be summarily prosecuted before one or more Justices of the Peace, and proof thereof shall be made on the oath of one or more credible witnesses.

Proceedings.

III. One half of the penalty imposed shall belong to the complainant or informer, and the other half to the local municipality within the limits of which the offence shall have been committed.

Application of penalties.

IV. The informer or complainant shall himself be a competent witness, but in that case the whole amount of the penalty shall belong to the said municipality.

Complainant may be a witness.

V. Libels and other written abuse of the same nature shall not fall under the provisions of this Act, and this Act shall not have the effect of preventing any person from proceeding for damages by the ordinary civil action already open to any person insulted, in case such person shall prefer that mode of proceeding to the one prescribed by this Act.

Libels not to fall under the provisions of this Act.

VI. Any prosecution in virtue of this Act shall be instituted within six months after the passing of this Act, and not later.

Limitation.

VII. This Act shall apply to Lower Canada only.

Application.

See *Dareau, Traité des Injures, cap, 1, No. 1, pages 3, 7, 8, 66, 71, 72, 113, 114, 161, 155 ; Code Penal, Français (Contraventions de Police) paragraph 11, of article 471, also articles 223, 224.*