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No. 219.

2nd Session, 7th Parliament, 26th Victoria, 1863.

BILL.

An Act to amend the Act respecting the prompt and summary administration of justice in certain cases.

Received and read, first time, Monday, 13th
April, 1863.

Second reading, Wednesday, 15th April,
1863.

Mr. JOBIN.

QUEBEC.

PRINTED FOR THE CONTRACTORS BY HUNTER,
ROSE & LEMIEUX; ST URSULE STREET.

An Act to amend the Act respecting the prompt and summary administration of justice in certain cases.

FOR the better protection of Manufacturers and others entrusting Preamble.
materials to Workmen to be made up : Her Majesty, by and with
the advice and consent of the Legislative Council and Assembly of Ca-
nada, enacts as follows :

- 5 **1.** If any workman or other person to whom any materials or goods Punishment
have been intrusted for the purpose of being manufactured or made up, of persons re-
or of undergoing any operation or process, sells or exchanges the same, ceiving mate-
or any part thereof, or converts the same or any part thereof, to his rials to be
own use, or to that of any person other than the person intrusting the made up, and
10 same as aforesaid, such person so selling, exchanging or converting the selling them,
same, or any person knowingly buying or receiving the same in ex- etc.
change or otherwise, shall, on summary conviction thereof before any
one or more Justices of the Peace, or before any Recorder's Court, be
punishable by imprisonment at hard labor for not less than three, nor
15 more than twelve months, in the discretion of the Court or of the Justice
or Justices before whom the conviction is had, and shall, moreover, be
civilly liable for all damages occasioned by such offence ; and any per-
son so buying or receiving any material as aforesaid, may be convicted
and punished, although the principal offender has not been convicted or
20 prosecuted.
- 2.** Nothing in the foregoing section shall prevent any such offender Not to pre-
as aforesaid from being indicted, convicted, and punished for larceny, vent effect of
under the fifty-fifth section of chapter ninety-two of the Consolidated cap. 92 of
Statutes of Canada, or as a receiver of stolen goods under any provision Con. Stat. of
25 of the said Act ; but it shall be no defence to a prosecution under the Canada.
foregoing section that the offence amounts to larceny, or to a receiving
of stolen goods : Provided that no person shall be tried more than once
for the same offence.
- 3.** Any such goods or materials as aforesaid, or the value thereof, may Such materi-
30 be claimed and recovered by the person to whom they belong, by civil als, etc., may
action in any form allowed by the law of that section of the Province in be recovered
which the action is brought, against any third party in whose possession by civil ac-
they are found, or against the person to whom they were so entrusted as tion.
aforesaid, if such person withholds them when lawfully demanded by their
35 owner.
- 4.** This Act shall be construed as forming part of chapter one hun- This Act to
dred and five of the Consolidated Statutes of Canada, and as being be construed
inserted after the thirty-fifth section thereof ; and the thirty-sixth section as part of cap
of the said chapter relating to the interpretation of certain words, shall 105 of Con.
40 apply equally to this Act. Stat. Can.