

C A P. XX.

An Act to amend the Criminal Law of this Province relating to the offences of Arson and Counterfeiting Coin.

[30th May, 1849.]

WHEREAS defects exist in the law touching the counterfeiting Coin and Arson, and it is expedient to amend the same: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-unite the Provinces of Upper and Lower-Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, That if any person shall falsely make or counterfeit, or cause to be made or counterfeited, any coin resembling, or apparently intended to resemble or pass for any of the Queen's current gold or silver coin, or any of the gold or silver coin made or declared to be lawfully current in this Province, such person shall be guilty of a misdemeanor, and on being duly convicted thereof, shall be liable to be imprisoned and kept at hard labour in the Provincial Penitentiary for not more than four years; and if such person shall afterwards offend in like manner, he or she shall, for such second or for any subsequent offence, be deemed guilty of felony, and on being thereof duly convicted, shall be liable to the punishment by law provided for felony.

Preamble.

Punishment of persons counterfeiting current coin.
First offence.

Second or subsequent offence.

Difference of date between the forged coin, die, &c. and true coin not to be a ground of acquittal.

Setting fire to any school-house, seminary, &c. to be felony,

How punishable.

Owners need not be named in the indictment.

II. And be it enacted, That upon the trial of any person accused of any offence alleged to have been committed against the form of the Act passed in the Session of this Parliament which was held in the fourth and fifth years of Her Majesty's Reign, intituled, *An Act to regulate the Currency of this Province*, or against the provisions of this Act, no difference in the date or year marked upon the lawfully current coin described in the indictment, and the date or year marked upon the false coin counterfeited to resemble or pass for such lawfully current coin, or upon any die, plate, press, tool or instrument used, constructed, devised, adapted or designed, for the purpose of counterfeiting or imitating any such lawfully current coin, shall be considered a just or lawful cause or reason for acquitting any such person of such offence or accusation.

III. And be it enacted, That whosoever shall unlawfully and maliciously set fire to any school-house, lecture room, seminary of learning, college or building used for the purpose of education, or to any Village, Town or City Hall, or to any Rail-road station house, steam or fire engine-house or toll booth, or to any building used or employed as a Mechanics' Institute, or as a public library, or to any hall or building used by any body or society of persons, by whatever name or designation they may be known, and whether they be associated together for educational, philanthropic or benevolent purposes, or for any other lawful purpose, or to any museum or repository of curiosities, shall be guilty of felony, and being convicted thereof, shall be liable, at the discretion of the Court, to be imprisoned at hard labour in the Provincial Penitentiary for the term of his natural life, or for any term not less than three years, or to be imprisoned in any other prison or place of confinement for any term not exceeding two years, and further that it shall not be necessary to allege or set out in the Indictment the name of the owner of any such building.