

INDEX

	<small>PAGE</small>
ABETTORS in misdemeanors and in offences punishable on summary conviction, under the Larceny Act.....	618
Do. do. do. under the Forgery Act.....	157
Do. do. do. under the Malicious Injuries to Property Act sect. 70	711
Abandoning child under the age of two years.....	260
ABORTION. Attempt to procure.....	335
Indictment for woman administering poison to herself with intent.....	336
Indictment for administering poison to a woman with intent.....	336
Indictment for using instruments with like intent.....	336
Remarks.....	337-338
Procuring drugs, &c., to cause abortion.....	338
Indictment.....	339
ABDUCTION of a woman of any age from motives of lucre, &c.....	318
Indictment if of age.....	319
Indictment if under age.....	319
Remarks.....	319-322
Of any woman.....	322
Indictment.....	322
Of girls under sixteen.....	323
Indictment.....	324
Stealing children less than fourteen years of age.....	325
Indictment.....	326
ACCEPTANCE OF A BILL OF EXCHANGE , forging or uttering.....	100
ACCUSING OF CRIME with intent to extort.....	484
Indictment.....	485
ADULTERER , larceny by.....	372
ADMINISTERING POISON to procure miscarriage.....	335-338
Do. do. with intent to murder.....	227
Do. do. attempting to administer poison with intent to murder.....	233
So as to endanger life or inflict grievous bodily harm, or with intent to injure or annoy.....	255
ADMINISTERING CHLOROFORM with intent to commit offences.....	254
AGENTS , fraud by.....	567-572
ALGOMA , 32-33 Vict., ch. 35, declared in force in the District of.....	398

YY

	<small>PAGE</small>
ADMINISTERING VOLUNTARY OATHS	747
ANIMALS , cruelty to.....	765
ASSAULT on a clergyman in the discharge of his duty.....	281
Indictment for obstructing a clergyman in the discharge of his duty.....	281
Indictment for arresting a clergyman about to engage in the performance of divine service.....	282
Disturbing congregations met for religious worship.....	282
On officers, &c., saving wreck.....	283
Indictment for assaulting a magistrate on account of the exercise of his duty in preserving wrecks.....	284
With intent to commit felony, or on peace officers.....	285
Indictment.....	285
Indictment for assaulting peace officer in execution of his duty.....	286
Indictment for an assault to prevent arrest.....	287
With intent to obstruct the sale of grain.....	287
On seamen, stevedores, ship carpenters, &c.....	288
Arising from combination or conspiracy.....	289
Indictment for an assault in pursuance of a conspiracy to raise wages.....	289
Remarks.....	290-292
Summary convictions for common assault.....	293
— Case dismissed, certificate to be granted.....	293
— Party may be discharged in certain cases.....	294
— With attempt to commit a felony, how justice shall proceed.....	294-298
Remarks	294-298
ASSAULT with intent to rob.....	457-458
Indecent, see "indecent assault."	299
What constitutes an.....	299
No, if there is consent.....	301-302, 316
When justifiable.....	304-306
ARMY AND NAVY , offences relative to Her Majesty's, 32-33 Vict., ch. 25.....	754-757
ARSON	641
ATTEMPTS to murder.....	227
Indictment for administering poison with intent to murder.....	227
Indictment for wounding with intent to murder.....	229
To murder by destroying or damaging building with gunpowder.....	231
Indictment.....	231
To murder by setting fire to, or destroying ships.....	232
Indictment	232
To murder by poisoning, shooting, drowning, &c	233
Indictment for attempting to poison with intent.....	234
Indictment for attempting to drown with intent to murder.....	235
Indictment for shooting with intent to murder.....	235
Indictment for attempting to shoot with intent.....	234

INDEX.

773

	PAGE
By any means.....	239
Punishment.....	239
Indictment.....	239
To choke with intent to commit any indictable offence	253
Indictment	254
To set fire to buildings.....	656
Indictment	657
To set fire to a vessel.....	696
Indictment	696
To set fire to crops, stacks, &c.....	669
To commit sodomy.....	345
To commit suicide.....	192
To set fire to mine.....	679
ARMS. Carrying bowie knives about the person	351
Sheath knife, if carried about the person in any seaport towns or cities of Canada, person charged with same, how tried	352
Duty of the Court or Justice before whom convicted.....	252
Limit of time within which prosecutions shall be commenced	352
ARMS, what constitutes loaded	233
 B	
BAILEES. Larceny by.....	404
BANKERS. Frauds by.....	567-570
Indictment against banker for selling or converting goods, &c., intrusted to him, for safe keeping or for a special purpose "not" in writing	581
BEACONS. Penalty for making vessels fast to	701
Destroying, removing, &c., &c., &c.....	700
BIGAMY. Where offender may be tried.....	326
Indictment.....	327
Remarks	327-335
BIRDS. Killing or maiming	693
Stealing.....	422
BIRTH. Concealing the.....	339
Indictment.....	340
Remarks	340-343
BODILY HARM, assault occasioning.....	298-304
BOOMS. Cutting adrift.....	701
Indictment	702
Setting fire to	656
Attempt to set fire to	656
BUILDINGS. Setting fire to goods in any, the setting fire of which would be felony	653
Indictment	654

774

INDEX.

	PAGE
Attempt to set fire to.....	656
Injuries by explosive substances to.....	658
Demolished or injured by rioters.....	661
Injuries to, by tenants.....	664
Indictment	665
Buoys. Cutting away.....	699
Indictment	700
Penalty for making vessels fast to	701
BURIAL GROUND, injuries to statues, monuments in, &c., &c., &c..	691
Larceny of fixtures in	437
BRIDGES. Injuries to.....	685
Indictment for pulling down.....	686
Indictment for injury.....	686
BURGLARY. General remarks	489-504
In a church or chapel.....	504
Indictment for breaking and entering a church and stealing therein.....	505
Indictment for stealing in and breaking out of a church.....	506
By breaking out.....	506
Punishment.....	508
Indictment for burglary and larceny to the value of £5	508
Indictment if no felony was committed.....	509
Indictment for burglary by breaking out	510
Being found by night, armed with intent to break a dwelling-house, &c., &c., or having in possession by night implements of house-breaking.....	525
Indictment for being found by night armed with intent, &c	526
Indictment for having in possession by night implements of house-breaking	528
Meaning of the word "night" in burglary.....	490
On what buildings burglary can be committed.....	491
What acts constitute burglary.....	497
The intent necessary in.....	503
The word "burglariously" necessary in indictment for	510
CATTLE. Interpretation of the word	492
Stealing.....	420
Killing or maiming.....	692
Indictment	693
CARNAL KNOWLEDGE DEFINED	308
Carnally knowing and abusing a girl under ten years.....	314
Carnally knowing and abusing a girl between the ages of ten and twelve	315
Attempts to commit the said offences.....	317
CARRIAGE. Doing bodily harm to any person by furiously driving	279
CHEATS, common, how now punishable.....	585

	PAGE
CHEQUE. Forgery, alteration of.....	105-111
CHEQUE, larceny of.....	425
CHILD. Exposing children under two years of age.....	260
Indictment.....	261
Carnally abusing.....	314
Concealing the birth of.....	339
Stealing, under the age of fourteen.....	325
CHILD-MURDER.....	181
CHLOROFORM. Using chloroform with intent to commit indictable offences.....	254
Indictment.....	254
CHOKE. Attempts to choke, etc., with intent to commit any indictable offence.....	253
Indictment.....	253
CHURCH. ("See Building.") Setting fire to.....	641
Indictment.....	642
Demolishing or injuring.....	661-662
Injuring statues, pictures, &c., &c., in a.....	691
Do. do. do. in a churchyard.....	691
Larceny of fixtures in a churchyard.....	437
CHAPEL. ("See Building.") Setting fire to.....	641
Indictment.....	642
CLERK. Larceny by.....	542
Indictment.....	543
Embezzlement by.....	544-563
Indictment.....	549
Remarks.....	546-563
CODICIL. (See Will).....	432
<i>Cognovit actionem</i> , forgery of, meaning of the word.....	130
COIN. Interpretation of terms under 32-33 Vic., chap. 99.....	1
Imperial Act (24-25 Vic., chap. 18) applies only to the "Queen's current gold and silver coin".....	3
What Canadian Act includes.....	3
How clause is framed in the English Act.....	3
Counterfeiting current gold or silver coin.....	3
Indictment.....	4
Evidence as to counterfeiting.....	5
Variance between indictment and evidence immaterial.....	5
Credible witness may prove.....	5
Colouring counterfeit coin, &c.....	6
Indictment.....	6
Proof of gilding.....	7
Indictment for colouring metal, &c.....	8

	PAGE
Impairing gold and silver coin with intent.....	8
Unlawful possession of filings, clippings, &c.....	9
Indictment.....	9
Act of impairing, how shewn.....	9
Buying or selling counterfeit coin at a lower value without lawful authority.....	10
Punishment for.....	11
Indictment.....	11
Proof.....	11
Importing counterfeit coin without lawful authority.....	12
Punishment for same.....	12
Indictment.....	12
Exporting counterfeit coin without lawful authority.....	13
Punishment for same.....	13
Indictment.....	13
Uttering counterfeit gold or silver coin.....	13
Punishment for same.....	13
Knowingly tendering, uttering or putting off as being current any gold or silver coin of less than its lawful weight.....	14
Punishment for same.....	14
Having custody or possession of false or counterfeit coin with intent to utter or put off.....	15
Punishment.....	15
Indictment, for uttering counterfeit coin.....	14
Proof.....	15
Indictment, for having in possession counterfeit gold or silver coin with intent.....	17
Uttering, &c., &c., after a previous conviction shall be felony.....	18
Punishment for same.....	18
English Statute, mode of proceeding under.....	18
Uttering foreign coin, medals, &c., with intent to defraud.....	19
Punishment.....	19
Indictment, how framed.....	19
Proof as to.....	19
Counterfeit copper coin.....	20
Punishment for same.....	20
Uttering base copper coin.....	21
Evidence in prosecution relating to copper coin.....	21
Defacing coin, tender of defaced coin.....	21
Punishment for same.....	22
Tender of such, illegal.....	22
Indictment.....	22
Prove, what is necessary to.....	22
Counterfeiting foreign gold and silver coin not current in Canada.....	23
Punishment for same.....	23
Bringing such counterfeit coin in Canada.....	23
Uttering foreign counterfeit coin.....	23
Punishment for second and third offence.....	24
Punishment for same.....	24
Having foreign gold or silver coin, false or counterfeit in possession.....	24

	PAGE
Falsely making or counterfeiting any kind of coin, not being current coin.....	24
Making, &c., coining tools.....	26
Proof where it shall lie.....	26
Indictment for making a puncheon for coining.....	27
Indictment for having a puncheon in possession.....	29
Indictment for making a collar.....	30
Conveying coining tools or coin out of the mint into Canada.....	31
Suspected coin may be cut.....	32
Seizure and disposal of counterfeit coin and coining tools.....	33
Disposal of such coin produced in court.....	34
Sufficient proof of coin being counterfeit, what shall be.....	35
Proof in certain cases.....	36
Falsely making or counterfeiting any coin, or buying, selling, &c.....	37
When Act to commence.....	38
COMMON ASSAULT. Summary conviction for.....	293-297
As an indictable offence.....	298
COMPANIES, PUBLIC. Frauds by directors or officers of.....	573-575
COMPOUNDING FELONY. Taking a reward for the restitution of stolen property.....	635
CONCEALING THE BIRTH OF A CHILD.	339
CONCEALING WILLS, &c., &c.	432
CONSENT. Difference between, and submission.....	302-316
CONSPIRACY TO MURDER.	220
CONSPIRACY. Assaults arising from.....	289
CONSTRUCTIVE TAKING IN LARCENY.	357-372
CONTRIBUTORY NEGLIGENCE, in cases of manslaughter.....	205-207
COPPER COIN, offences respecting the.....	38
CORPORATE BODIES. (See Companies, Public.)	
CORRECTION. Killing by.....	203
CROPS. Setting fire to.....	669
COUNTERFEITING, see "Coin."	
COUNTING-HOUSE, burglary and larceny in a.....	518-522
CROSSED CHEQUE, obliterating, adding to, or altering crossing.....	111
CROW, having in possession by night without lawful excuse.....	525
CRUELTY TO ANIMALS. An Act respecting, 32-33 Vict., ch. 27.765-768 Punishment.....	766
CURTILAGE. What buildings within.....	512
Breaking into a building within, and committing a felony.....	514
Indictment.....	517

	PAGE
What is the meaning of the word.....	512
CUSTOM-HOUSE OFFICERS, offences against.....	285
Forgery of stamps, documents, &c., &c., &c., under the "Act respecting Customs".....	158
CUSTOM-HOUSE, destroying or injuring by fire.....	650
CUTTING, &c.....	249-251
DAM, for timber, setting fire to.....	656
DAM of fish-pond, destroying.....	684
DAM of mill-pond, destroying.....	682
DEBENTURES, forgery of.....	78
DEED, acknowledging without authority or excuse, in name of another.....	138
DEED, obtaining execution of, by false pretences.....	603
DEED, obtaining execution of, by force.....	486
DEFACED COIN, not a legal tender.....	21
DEFILEMENT of a girl under twenty-one years of age, criminally procured.....	313
DEFRAUD. Defrauding a person of the advantage, possession or use of his property.....	620
Remarks.....	620-626
Of the intent to defraud, in forgery.....	44, 61, 83, 142, 150
DESERTION, inducing soldiers to.....	754
DIPLOMA, forgery of.....	45
DIRECTORS OF COMPANIES. Fraudulently applying property of Company.....	574
Keeping false accounts.....	574
Destroying, altering, &c., books.....	574
Making fraudulent statements.....	575
Indictment against, for fraudulent conversion of the company's money.....	583
Indictment for keeping fraudulent accounts.....	583
Indictment for destroying or falsifying books.....	583
Indictment for publishing fraudulent statements.....	583
DISTURBING religious meetings, &c.....	262
DOCUMENTS OF TITLE TO REAL ESTATE. Stealing.....	431
Indictment.....	
Book, "Stealing from".....	538
Indictment.....	583
DOGS. Killing or maiming.....	693
Stealing.....	422

INDEX.

779

	PAGE
DOVE. Killing or wounding.....	423
DREDGING in the oyster fishery of another.....	424
DRIVING, causing bodily harm by furious.....	279
DEBOWNING A MINE, &c.....	680
DROWN, attempting to, with intent to murder	233
DRUG, administering, with intent, &c.....	254
DUEL, killing in.....	189
DWELLING HOUSE. What is a, in burglary	491
Entering by night with intent to commit felony	512
Indictment.....	513
Breaking into, within the curtilage.....	514
Indictment.....	517
Breaking and committing any felony therein.....	518
Stealing to the value of \$25 in a.....	529
Indictment.....	530
Breaking, with intent to commit a felony.....	522
Stealing in, any person therein being put in fear	532
Indictment.....	535
Setting fire to, any person being therein.....	645
Indictment.....	645
Stating ownership of, in burglary.....	497
Destroying, by gunpowder, any person being therein.....	658
Riotously demolishing or injuring.....	661, 662
EXCUSABLE HOMICIDE.....	222
ELECTRIC TELEGRAPH, injuries to	688
EMBEZZLEMENT by clerks or servants.....	544-563
EMBEZZLEMENT by public officers.....	563
Three distinct acts of; may be charged in one indictment, in certain cases.....	545
Verdict of larceny allowed in indictments for embezzlement, and vice versa.....	545-548
EMBEZZLEMENT by partners.....	452
EMBEZZLEMENT by bankers, merchants, brokers, attorneys, agents, &c.....	567-584
EXCHEQUER BILLS OR BONDS, forgery of.....	78
EXPLOSIVE SUBSTANCE, injuries by, to buildings and goods therein. 658	
Indictment for destroying by explosion part of a dwelling house, some person being therein.....	659
Indictment for blowing up a house whereby life was endangered. 660	
Indictment for throwing gunpowder into a house with intent, &c. 661	
Causing bodily injury by.....	262
Sending, with intent to burn.....	263
Placing, near a building, with intent.....	263

780

INDEX.

	PAGE
EXPORTING COUNTERFEIT COIN	13
EXPOSING CHILD under two years of age.....	260
FACTORS, frauds by.....	567-584
FALSE PRETENCES, obtaining any chattel, money or valuable security by.....	584
Indictment.....	586
Remarks.....	585-602
Inducing persons by fraudulent means to sign deeds, papers, &c. 603	
Indictment.....	603
Falsely pretending to have inclosed money or other property in a post letter.....	604
Winning money by cheating at a game.....	604
Indictment.....	605
Obtaining steamboat or railway passage by false ticket.....	606
Conviction of obtaining by false pretences on indictment for larceny.....	606
FALSE SIGNALS, exhibition of, with intent to bring any ship, &c., into danger.....	69
Indictment for exhibiting false signals.....	69
Indictment for doing an act tending to the immediate danger of a ship.....	69
FENCES, injuries to.....	678
Stealing, &c.....	443
<i>Ferae Naturae</i> , animals that are, not the subject of larceny.....	381
FINE, power of court to impose, in addition to or in lieu of other punishments for misdemeanors, under Coin Act.....	3
Under Forgery Act.....	157
Under Offences against the Person Act.....	333
Under Larceny Act.....	639
Under Malicious Injuries Act, Sect. 74.....	712
FISH, throwing lime, &c., in pond, with intent to destroy.....	684
FIXTURES, stealing, breaking, cutting, &c.....	437
FIXTURES, stealing of, by tenants or lodgers.....	566
FOREIGN COIN, offences relating to.....	23
FOREST, setting fire to.....	655
Attempt to set fire to.....	656
FORGERY. General remarks.....	39
Meaning of.....	39
Characteristic of the crime.....	40
Not confined to falsifications of mere writings.....	40
Uttering, as to the.....	57
See (<i>defraud, intent to</i> .)	
Indictment, General Form, under Statute.....	62
Indictment for forgery at common law, form of.....	64

Possible entry + debasement - in de Vienne -
Gives us High + Letter - G -

	PAGE
Common law, forgery at.....	64
Act respecting forgery.....	65
Of great seal.....	65
Punishment.....	66
Indictment.....	66
Of document signed by Governor, Lieutenant-Governor, letters patent, public registers, &c., &c.....	67
Of letters patent, &c., or putting off same.....	68
Punishment.....	68
Of public register.....	68
Punishment.....	68
Indictment, see general remarks.....	62
Of transfers of stocks, powers of attorney, &c., &c., &c.....	69
Punishment.....	70
Indictment, for forging and uttering a transfer of stock.....	70
Indictment, for forging and uttering a power of attorney to sell out stock.....	71
Personating owner of stock with intent, &c.....	72
Punishment.....	73
Indictment.....	73
Forging attestation to power of attorney for transfer of stock, &c.....	73
Punishment.....	74
Indictment.....	74
Making false entries of stock, &c., &c., &c.....	75
Punishment.....	76
Indictment for making false entries of stock.....	76
Indictment for making a transfer of stock in the name of a person not the owner.....	76
Clerks making out false dividend warrants, &c.....	77
Punishment.....	77
Indictment.....	78
Of forging debentures, stock, &c., making plates, paper, in imitation of those used for debentures, &c. Having such plate, paper, &c., in possession.....	78
Punishment.....	79
Instruments (unlawful possession of) having therein any words, letters, figures, marks, lines or devices, peculiar to or appearing in such debentures, exchequer bills or exchequer bonds, Dominion notes or Provincial notes, &c.....	79
Paper (unlawful possession of) provided for debentures, exchequer bills or exchequer bonds, notes, &c.....	80
Paper (unlawful possession of) manufactured by the Government of Canada or Provinces.....	81
Indictment (See general form).....	62
Of stamps,.....	82
Punishment.....	83
Remarks.....	83
Of bank notes, &c., &c.,	87
Punishment.....	87
Indictment.....	88
Of purchasing or having forged bank notes.....	89
Punishment.....	89

	PAGE
Indictment.....	90
As to making paper and engraving plate, &c., &c., for bank notes.....	90
Punishment.....	91
Paper, what permitted to be used for.....	92
Engraving Dominion or Provincial note or bank note.....	92
Engraving any word, number, figure or device intended to resemble Dominion or Provincial notes or bank notes, &c.....	93
Punishment.....	93
Using instruments for manufacture of paper with the name or firm of any bank, body corporate, company or person carrying on the business of bankers visible in the substance, &c.	94
Punishment.....	94
As to forging, uttering or putting off, knowing to be forged, any bill of exchange, &c., promissory note, undertaking or order for payment of money,	94
Punishment.....	95
Remarks.....	96
Of deeds, bonds, &c.....	97
Punishment.....	98
Indictment.....	98
Of a will.....	99
Punishment.....	99
Indictment.....	100
Remarks.....	100
Bills of exchange or promissory notes.....	100
Punishment.....	101
Indictment.....	101
Remarks.....	103
Of orders, receipts, &c., for money, goods, &c.....	105
Punishment.....	106
Indictment.....	107
Remarks.....	108
Making, accepting any bill, &c., &c., &c., by procuration, without lawful authority, &c., &c.....	109
Punishment.....	110
Indictment. See general remarks.....	110
Remarks.....	111
Obliterating crossing on cheques.....	111
Punishment.....	111
Of debentures.....	112
Punishment.....	112
Remarks.....	112
Of trade marks.....	113
"Person" construction of the word, in Trade Marks Offences Act.....	113
Provisions on trade marks.....	113-130
Of railway tickets, &c.....	130
Punishment.....	130
Of records, process of Courts of Justice, documents, produced in court, &c.....	130
Punishment.....	131
Of official documents by clerks, &c.....	131

INDEX.

783

	PAGE
Of instruments, made evidence by Act of Parliament.....	133
Of notarial acts, registers of deeds, &c.....	134
Of orders, summonses, &c., &c., of justices of the peace.....	135
Of the names of judges, clerks, &c.....	137
Falsely acknowledging recognizances, &c.....	138
Indictment.....	138
Of marriage licenses.....	139
Of registers of births, marriages and deaths.....	139
Of matters relating to baptism, marriage or burial.....	140
Indictment.....	141
Demanding property upon forged instruments.....	143
Of any document or writing whatsoever.....	144
Of any instrument, however designated in law, a will, bill of exchange, &c., &c.....	146
Of bills made out of Canada.....	147
Forgers may be tried in county where apprehended, or in custody.....	148
Description of instrument in indictments for forging or for engraving, &c.....	149-50
Intent to defraud, how to be alleged.....	150
Criminal possession, what is, under this Act.....	151
Search warrants for forged instruments, &c.....	151
Remarks.....	151-154
Competency of witnesses on trial.....	154
Punishments, &c.....	155-156-157
Accessories after the fact.....	157
Fines and sureties for keeping the peace, in what cases.....	157
This Act, when to commence and take effect.....	158
Under the "Act respecting the Customs," 31 Vict., ch. 6.....	158-59
Under the "Act for the regulation of the Postal Service," 31 Vict., ch. 10.....	159
Under the "Act respecting the Shipping of Seamen," 31 Vict., ch. 129.....	160
FURIOUS DRIVING , causing bodily harm by.....	279

G.

GAMING, winning money by cheating at.....	604
GARDEN, stealing in.....	438
Garden, destroying trees, plants, &c., &c., &c.....	672 676
GATES. Injuries to.....	678
Stealing.....	443
GIRL, under sixteen, abduction of, 323; under twenty-one, 318; by false pretences, procuring girl under twenty-one to have illicit carnal connexion with man, 313; carnally knowing girl under ten, 314; carnally knowing girl under twelve and above ten, 315; attempt to have carnal knowledge of girl under twelve.....	317

784

INDEX.

	PAGE
Goods. Destroying, &c., in the process of manufacture.....	666
Destroying certain machinery.....	667
Indictment for cutting goods in the loom.....	668
For breaking warp or silk.....	668
For entering by force into a house, with intent to destroy or cut woollen goods.....	668
Indictment for destroying a thrashing machine.....	669
GOODS FOUND , larceny of.....	388
GOVERNOR-GENERAL. Forgery of seal of.....	65
GRAIN . See "Crops."	
GRAND LARCENY AND PETIT LARCENY . Distinction between, abolished.....	404
GRAPE VINES . Destroying.....	671
GREAT SEAL . Counterfeiting.....	65
GREVIOUS BODILY HARM , what is.....	246
Wounding, or shooting, or attempting to shoot, with intent to do.....	247
Inflicting, with or without weapon.....	248
In indictment for felony, charging a grevious bodily harm, a verdict for a misdemeanor may be given.....	249
Upon indictment for, a verdict for common assault may be given	250
GROSS NEGLIGENCE OF MEDICAL PRACTITIONER , death caused by.....	209
GUILTY KNOWLEDGE , how proved, in forgery and uttering.....	59
GYPOPOWDER . Causing bodily injury by gunpowder.....	262
Causing it to explode with intent, or sending it to persons with intent.....	263
Placing near a ship with intent to damage any body.....	263
Indictment for burning by gunpowder.....	264
For sending an explosive substance with intent.....	264
Indictment for throwing corrosive fluid with intent.....	264
Having in possession or making, &c., with intent to commit any of the felonies in this Act.....	347
Justice may issue a search warrant.....	347
Taken possession of under this Act may be sold under direction of the Court.....	348
Indictment.....	349
Placing gunpowder near a vessel with intent to destroy or damage	697
Making to commit offences.....	708
Searching for same.....	708
H.	
HOMICIDE , excusable, justifiable.....	222
HOMICIDE ; <i>per infortunium or se at sua defendendo</i>	222

INDEX.	785
	PAGE
HOMICIDE, generally.....	163
HOMICIDE LAW AMENDMENT BILL, report on, by Committee of British House of Commons.....	216
HOP-BINS, destroying, &c., &c.....	671
HOP-OAST, setting fire to.....	648
HOP-OAST, riotously demolishing or injuring.....	661, 662
HORSE-STEALING.....	420
HOUSE-BREAKING. Breaking into a house, &c., and out of the same, and committing a felony therein.....	518
Indictment.....	520
Breaking into a dwelling house, &c., with intent to commit a felony.....	522
Indictment.....	522
Breaking into a dwelling house, &c., with intent to commit a felony, in the night.....	512
Having in possession by night implements of house-breaking..	525
HOUSE. Setting fire to.....	646
Indictment.....	647
Riotously demolishing or injuring.....	661, 662
Injuries to by tenants.....	664
HUSBAND MAY KILL ADULTERER IN CERTAIN CASES.....	168
I.	
IMPLEMENT OF HOUSE-BREAKING, having in possession by night..	525
IMPEDING PERSONS ENDEAVOURING TO ESCAPE FROM WRECKS.....	243
Punishment.....	243
Indictment.....	243
INDECENT ASSAULT, upon females.....	317
INDECENT ASSAULT, upon males.....	345
INFAMOUS CRIME, accusing or threatening to accuse of an infamous crime, with intent, &c.....	482
INJURIES, to houses by tenants.....	664
INTENT TO DEFRAUD, in forgery. See "Defraud."	
J.	
JUSTIFIABLE HOMICIDE.....	222
K.	
KIDNAPPING. Punishment.....	349
Offence, where it may be tried.....	350
Indictment.....	357

INDEX.	786
	PAGE
KILLING, what to constitute murder.....	163
By correction.....	203
In defence of wife, children, &c., &c.....	223
In defence of property.....	224
In a duel.....	189
By fighting.....	197
Officers of justice.....	184-198
By officers of justice.....	187-202
Upon provocation.....	172-195
By negligence.....	204
By medical practitioners.....	211
By poisoning.....	182
Of the malice necessary to constitute murder.....	163-180
KNIVES, bowie, carrying, &c., &c.....	351
KNOWLEDGE, carnal, defined.....	309
LARCENY ACT, proceeding on summary convictions, under.....	637
LARCENY, at Common Law.....	356
Of the intent <i>Lucri causa</i> in.....	356-392
Of the felonious intent necessary in.....	369-384-392
The taking in.....	357
Of constructive taking and possession.....	358
The taking where the offender has a bare charge.....	359
The taking where the possession of the goods has been obtained <i>animo furandi</i>	362
The taking where the possession of the goods has been obtained <i>bona fide</i> without any fraudulent intention in the first instance	371
The taking where the offender has more than a special property in the goods	372
LARCENY, by avowterer or adulterer.....	372
LARCENY of one's own goods.....	375
The carrying away, and asportation.....	377
The goods taken.....	380
The owner.....	382
Taking must be against owner's consent	383
LARCENY, by finding	388
Indictment, general remarks.....	393-399
LARCENY. (See the various heads).....	357-399
General remarks.....	357-399
Act respecting, and other similar offences 32, 33, Vic. chap. 21-400	
Distinction between Grand and Petit, abolished.....	404
By Bailees.....	406
Bailee, who is a.....	406
Bailment, what constitutes.....	407
Punishment for simple Larceny	413
When exceeds \$200.....	620
Three Larcenies within six months in one indictment.....	414

INDEX.	785
	PAGE
HOMICIDE, generally.....	163
HOMICIDE LAW AMENDMENT BILL, report on, by Committee of British House of Commons.....	216
HOP-BINS, destroying, &c., &c.....	671
HOP-OAST, setting fire to.....	648
HOP-OAST, riotously demolishing or injuring.....	661, 662
HORSE-STEALING.....	420
HOUSE-BREAKING. Breaking into a house, &c., and out of the same, and committing a felony therein.....	518
Indictment.....	520
Breaking into a dwelling house, &c., with intent to commit a felony.....	522
Indictment.....	522
Breaking into a dwelling house, &c., with intent to commit a felony, in the night.....	512
Having in possession by night implements of house-breaking..	525
HOUSE. Setting fire to.....	646
Indictment.....	647
Riotously demolishing or injuring.....	661, 662
Injuries to by tenants.....	664
HUSBAND MAY KILL ADULTERER IN CERTAIN CASES.....	168
I.	
IMPLEMENT OF HOUSE-BREAKING, having in possession by night..	525
IMPEDING PERSONS ENDEAVOURING TO ESCAPE FROM WRECKS.....	243
Punishment.....	243
Indictment.....	243
INDECENT ASSAULT, upon females.....	317
INDECENT ASSAULT, upon males.....	345
INFAMOUS CRIME, accusing or threatening to accuse of an infamous crime, with intent, &c.....	482
INJURIES, to houses by tenants.....	664
INTENT TO DEFRAUD, in forgery. See "Defraud."	
J.	
JUSTIFIABLE HOMICIDE.....	222
K.	
KIDNAPPING. Punishment.....	349
Offence, where it may be tried.....	350
Indictment.....	357

INDEX.	786
	PAGE
KILLING, what to constitute murder.....	163
By correction.....	203
In defence of wife, children, &c., &c.....	223
In defence of property.....	224
In a duel.....	189
By fighting.....	197
Officers of justice.....	184-198
By officers of justice.....	187-202
Upon provocation.....	172-195
By negligence.....	204
By medical practitioners.....	211
By poisoning.....	182
Of the malice necessary to constitute murder.....	163-180
KNIVES, bowie, carrying, &c., &c.....	351
KNOWLEDGE, carnal, defined.....	309
LARCENY ACT, proceeding on summary convictions, under.....	637
LARCENY, at Common Law.....	356
Of the intent <i>Lucri causa</i> in.....	356-392
Of the felonious intent necessary in.....	369-384-392
The taking in.....	357
Of constructive taking and possession.....	358
The taking where the offender has a bare charge.....	359
The taking where the possession of the goods has been obtained <i>animo furandi</i>	362
The taking where the possession of the goods has been obtained <i>bona fide</i> without any fraudulent intention in the first instance	371
The taking where the offender has more than a special property in the goods	372
LARCENY, by avowterer or adulterer.....	372
LARCENY of one's own goods.....	375
The carrying away, and asportation.....	377
The goods taken.....	380
The owner.....	382
Taking must be against owner's consent	383
LARCENY, by finding	388
Indictment, general remarks.....	393-399
LARCENY. (See the various heads).....	357-399
General remarks.....	357-399
Act respecting, and other similar offences 32, 33, Vic. chap. 21-400	
Distinction between Grand and Petit, abolished.....	404
By Bailees.....	406
Bailee, who is a.....	406
Bailment, what constitutes.....	407
Punishment for simple Larceny	413
When exceeds \$200.....	620
Three Larcenies within six months in one indictment.....	414

INDEX.

787

	PAGE
If one taking is charged and several proved.....	415
Punishment for simple Larceny after previous conviction for felony.....	418
Punishment for simple Larceny or any offence made punishable like simple Larceny after previous conviction of any Indictable misdemeanor punishable under this Act.....	418
Punishment after two previous convictions of offences punishable upon summary conviction under this Act	419
Indictment.....	419
Of cattle and other animals	420
Indictment	421
Killing cattle with intent to steal the carcase	421
Indictment.....	422
Stealing Dogs, Birds, &c., &c., or other animals ordinarily kept in confinement and subject of Larceny at common Law.....	422
Killing or taking Pigeons.....	423
Larceny of oysters, &c., &c., &c.	424
Larceny of valuable securities.....	425
Larceny of documents of title.....	431
Larceny of wills, codicils, &c., &c., &c.	432
Larceny of records, &c., &c.	433
Larceny of Railway tickets, &c., &c.	436
Stealing trees, &c., &c., &c.	438
Stealing trees worth at least 25 cents, first offence: second offence: third offence.....	440
Purchasing or receiving stolen trees.....	442
Stealing fences, gates, &c., &c., &c.	443
Possession of stolen wood.....	444
Stealing, &c., &c., &c., plants, &c., &c., &c., in garden.....	444
Stealing plants, &c., &c., &c., not in gardens	446
Stealing from mines.....	447
Concealing royalty, &c., &c., &c.	448
Search warrant for gold, &c., &c., &c.	450
Possession of gold evidence of larceny in certain cases.....	451
Fraud on partner in mines.....	452
Larceny by partners.....	452
Robbery and stealing from the person.....	457
Robbery, with aggravated circumstances.....	474
Letters demanding money with menaces.....	477
Demanding money with menaces or by force.....	479
Letters threatening to accuse, &c., &c., &c.; with intent, &c., &c.	482
Accusing or threatening to accuse with intent, &c., &c., &c.	484
Obtaining the execution of a deed by threats, &c., &c., &c.	486
Burglary, see "Burglary".....	488
House-breaking, see "house-breaking".....	512-528
Stealing in a dwelling-house, see "dwelling-house"	529-535
Larceny in Manufactories.....	535
Stealing goods intrusted for manufacture.....	536
Larceny in ships, wharves, &c., &c., &c.	537
Stealing from shipwrecked vessels.....	540
Larceny by clerks or servants.....	542
Embezzlement by clerks or servants.....	544
Larceny or embezzlement by public officers.....	563

INDEX.

	PAGE
Larceny by tenants or lodgers	564
Frauds by agents, bankers, factors, directors, trustees, attorneys, &c., &c., &c.	567-584
False pretences, see "false pretences"	584-597
Receiving stolen goods.....	607 614
Defrauding a person of the use of his property, either real or personal.....	626
Offences concerning timber found adrift.....	626
Bringing into Canada property stolen, &c., &c., elsewhere.....	627
Restitution of stolen property.....	628
Taking a reward for do do do.....	633
Advertising a reward for do do do do.....	635
Larceny of stamps.....	640
Venue in certain cases of larceny.....	648
Fine and sureties for the peace in certain cases, under Larceny Act.....	649
Prosecutions of offences punishable on summary conviction, under Larceny Act.....	650
Larceny under Post Office Act.....	651
Simply larceny in some cases punishable summarily	652
LETTERS, threatening to murder.....	741
Punishment.....	741
Indictment.....	741
Demanding money with menaces.....	741
Indictment.....	742
Threatening to accuse of a crime with intent to extort.....	742
Indictment.....	743
Threatening to burn houses, &c., &c., or to kill, maim, &c., any cattle	743
LOADED ARMS, what constitutes, under the offences against the Person Act.....	233
LONGER, larceny by.....	567
LUMBER, setting fire to.....	655
Attempt to	656
M.	
MALICIOUS INJURIES. (See various heads.)	
MALICIOUS INJURIES TO PROPERTY ACT.....	641
General clauses.....	710-712
Remarks.....	712
Malice against owner not necessary.....	714
Not before provided for, to amount exceeding twenty dollars	701
Not before provided for, to amount not exceeding twenty dollars	705
MAILS, larceny, robbery of, &c., &c.	592
MANSLAUGHTER, punishment.....	192
ZZ	

INDEX.

789

PAGE

Indictment.....	193
Remarks.....	193-195
Provocation, cases of.....	195
Mutual combat cases.....	197
Resistance to officers of Justice, cases of.....	198
Killing by correction, cases of.....	203
Death caused by negligence.....	204
Neglect of natural duties.....	212
Special Report by the select Committee of the House of Commons on the 'Homicide Law Amendment Bill'	217
Under General Railway Act	213
MANUFACTURES. Stealing goods intrusted for manufacture.....	536
MANUFACTORIES, larceny in, to the value of \$2	535
Indictment.....	536
MARINE STORES. Regulations for dealers	619
MEDICAL PRACTITIONERS, killing by	209
MERCHANDISE. Deposit of same with intent to defraud consignee	577
Refusal to deliver up by warehouseman, &c., to holder or endorsee of receipt	578
METAL, &c. Fixed to House or land, stealing of.....	437
Indictment.....	438
MINES, stealing from, removing ore, &c., &c.....	447
Indictments.....	448
Fraud on Partners in	452
Injuries to.....	679
Indictment.....	679
Drowning Mines.....	680
Indictment.....	681
Destroying engines, erections used in Mines.....	681
Indictment.....	682
MILITARY AND NAVAL STORES, offences respecting Her Majesty's.....	758-763
Indictment for unlawful possession of ordnance stores.....	763
MONEY. Demanding money with menaces or by force, with intent to steal.....	479
Indictment.....	480
MURDER. Punishment	161
Conviction for.....	161
Indictment.....	162
Remarks.....	163-165
Malice, definition of.....	165
Malice aforethought.....	165-177
Cases illustrative of general principle	180
Of child.....	181
By poisoning	182

790

INDEX.

PAGE

By killing officers of justice.....	184
Killing by officers of justice.....	187
Duelling	189
Self-murder	190
Conspiring or soliciting to	220
Indictment	221
Punishment of accessories after the fact	221
Verdict, general remarks	162-190

MUNDICK. See "Ore."

N.

NAVY. See "Army and Navy."

NEGLECT to provide with food, &c., &c., wife, child, or apprentice, &c.....	257
Indictment, form of, for not providing an apprentice with necessary food.....	258

O.

OATHS, voluntary and extra-judicial.....	147
OFFENCES AGAINST THE PERSON, an Act respecting, 32-33 Vict., ch. 20.....	161
ORE, Miners removing, with intent to defraud.....	447
Indictments.....	448
OIL WELLS, drowning, &c.....	680
Destroying machinery, &c	681
OYSTERS, stealing, or dredging for	424
Indictment	425
Indictment for using the dredge in the oyster fishery of another	425

P.

PARTNERS, larceny by	452
Indictment	454
PEACE ON PUBLIC WORKS, Act for the better preservation of, 32-33 Vic., ch. 24.....	752
PERJURY, Act respecting, 32-33 Vict., ch 23	726
Punishment for	726
Indictment	746
In insurance cases	739
Prosecution for, ordered by Judge, &c., &c	739
Proof	743
Subornation of	744
All evidence material with	744
Respect to Perjury	727
PETIT TREASON ABOLISHED	225

INDEX. 791

	PAGE
PIGEONS, killing or taking.....	423
PLANTS, destroying, growing in any garden	676
Indictment after a previous conviction	677
Destroying, growing elsewhere	677
Stealing in garden.....	444
Stealing, not in garden	446
PONDS, injuries to	684
Indictment for breaking down the dam of a fish-pond.....	684
Indictment for putting lime into a fish-pond.....	685
Indictment for breaking down a mill dam.....	685
Poison. Administering poison, &c., &c., so as to endanger life, or with intent to injure, &c., &c	255
Indictment, for administering poison so as to endanger life.....	257
Murder by	182
Administering with intent to murder.....	237
POST OFFICES, larceny respecting, mails, &c., &c.....	399
PRINCIPALS, in the second degree, and accessories, how punished under the Larceny Act	619
PROPERTY, stolen elsewhere, bringing same into Canada.....	627
PUBLIC BUILDING, setting fire to.....	651
Setting fire to other buildings.....	651
PUBLIC OFFICERS, larceny by	563
Indictment	565
Embezzlement by	564
Indictment	565

Q.

QUEEN'S SHIPS, setting fire to.....	650
QUEEN'S DOCKYARDS, setting fire to	650

R.

RAFTS, cutting adrift.....	701
Indictment.....	702
RAPE. Punishment	307
Carnal knowledge defined.....	308
Indictment.....	308
Remarks.....	308-313
Procuring the defilement of a woman or girl.....	313
Indictment.....	313
Carnally abusing children under ten years of age.....	314
Carnally abusing a girl above ten and under twelve years of age.....	315

792 INDEX.

	PAGE
INDICTMENT.....	315
INDECENT assault on females, or attempt to abuse a girl under twelve	317
INDICTMENT.....	317
RAILWAY, unlawfully and maliciously throwing upon or across, any wood, stone, &c.....	268
Taking, removing or displacing any rail, sleeper, &c.....	268
Turning, moving or diverting any point with intent.....	268
Shewing, hiding or removing any signal or light upon or near to any Railway.....	268
Doing any act with intent.....	268
Throwing, &c., against any Engine, Tender or carriage, &c., with intent to injure or endanger the safety of any person thereon.....	268
Doing any unlawful act or omitting or neglecting some act to the danger of the safety of persons on a railway.....	269
Indictment for endangering by wilful neglect the safety of Rail- way passengers.....	269
REMARKS.....	270
PENAL clauses under General Railway Act of 1863.....	272-275
REMARKS.....	275-279
MANSLAUGHTER under General Railway Act.....	279
RAILWAY TICKETS, &c., stealing.....	436
RAILWAY STATION, setting fire to	649
RAILWAY TRAINS, injuries to	687
Injuries to by unlawful act or wilful omission, &c.....	688
Indictment	689
RECEIPT. The giving of same by keeper of any warehouse, &c., before delivery of goods to him.....	576
RELIGIOUS CONGREGATIONS, disturbing.....	282
REPORT by the select committee of the House of Commons on the "Homicide Law Amendment Bill.".....	217
RESTITUTION of stolen property	628
Remarks.....	628-633
REAL ESTATE, stealing Documents of Title to	431
Indictment.....	431
RECORDS, &c., stealing	433
Indictment for stealing a Record.....	434
Indictment for taking a Record from its place of deposit.....	434
RESTITUTION of stolen goods	628
ROYALTY, (see Mines).....	448
RIOTERS. Demolishing buildings, &c.....	661
Indictment.....	662
Injuring buildings, &c.....	662

INDEX.

793

	PAGE
Indictment.....	663
RIVER BANKS. Damaging or destroying bank, dam, wall, &c.....	682
Indictment.....	683
Injuring piles, &c.....	683
Indictment.....	684
ROBBERY from the person.....	457
On trial of, may be convicted of assault with intent to rob.....	457
Indictment for stealing from the person.....	458
Indictment for robbery.....	460
Remarks.....	458-474
With aggravated circumstances.....	474
Indictment for robbery by persons armed.....	475
Indictment for assault by a person armed with intent to commit robbery.....	475
Indictment for robbery by two or more persons in company.....	475
Indictment for, together with one or more person or persons, assaulting with intent to rob.....	476
SEA BANKS. Damaging or destroying bank, dam, wall, &c.....	683
SERVANTS, larceny by.....	542
Indictment.....	543
Laundering by.....	544-563
Indictment.....	549
Remarks.....	546-563
Suicor, attempting to, wounding, &c., with intent to do grievous bodily harm.....	244
Indictment for wounding with attempt to maim.....	245
Remarks.....	245
SHIPS, stealing from.....	537
Indictment for stealing from a vessel on a navigable river.....	538
Setting fire to.....	695
Indictment.....	696
Setting fire to, with intent to prejudice owner, &c.....	695
Indictment.....	696
Damaging, otherwise than by fire.....	698
Setting fire to parts of.....	702
Indictment.....	702
SHIPWRECK, stealing from.....	540
Having property of, in possession.....	540
Offering such property for sale.....	541
Indictment.....	542
Offences respecting.....	243-702
SODOMY. Punishment.....	344
Indictment.....	344
Assault with intent to commit sodomy, indecent assault on males.....	345
Indictment.....	346

794

INDEX.

	PAGE
SOLDIERS, inducing to desert.....	754
SPRING GUNS. As to setting, &c., with intent, &c.....	265
Indictment.....	266
STACKS, setting fire to.....	669
Indictment for setting fire to stack of wheat.....	671
STAMPS, Act for the avoidance of doubts respecting larceny of.....	640
Stealing in a dwelling-house to the value of \$25.....	529
Stealing from the person.....	457
STOLEN GOODS. Receiving same.....	607
As to indictment.....	608
Receivers may be charged with substantive felonies in the same indictment.....	609
How Jury may convict.....	609
Receiving, &c., knowing the same to have been stolen.....	610
Indictment against the receiver of stolen goods for a substantive felony.....	611
Indictment against the receiver and principal jointly.....	612
Indictment against the receiver as accessory, the principal having been convicted.....	613
Indictment against the receiver, where the principal offence is a misdemeanour.....	613
Remarks.....	614-618
Principals, in the second degree, and accessories, how punishable.....	618
Restitution of stolen property.....	628
Taking a reward for helping to the recovery of stolen property, &c., &c.....	633
Indictment.....	633
Advertising a reward for return of.....	635
Apprehension of offenders, search warrant, &c.....	637
SUICIDE.....	190
Attempt to commit.....	192
STORES, military and naval.....	758
STORES, marine, dealers in.....	619
T.	
TELEGRAPHHS, injuries to.....	688
TENANT, larceny by.....	366
Injuries to buildings by.....	664
TREAT. Obtaining the execution of a deed, &c., &c., by threats or violence.....	486
General clauses.....	487
TIMBER. Offences concerning timber found adrift.....	626

INDEX.	795
	PAGE
Cutting loose cribs of.....	701
Setting fire to.....	655
TOLL BARS , injuries to.....	686
TRADE MARKS OFFENCES ACT , (see Forgery).....	113
TRADES UNION ACT	292
TRUSTEE fraudulently appropriating property	573
Sanction of Attorney General or Solicitor General before proceeding to prosecute.....	573
Indictment against Trustee for fraudulent conversion.....	583
Stealing or cutting.....	438
Setting fire to	655
TREES , destroying, &c	672
Indictment	673
Damage to the amount of twenty-five cents.....	674
Second offence, third offence.....	674
Indictment after two previous convictions.....	675
TURNPIKE GATES , destroying.....	686
Indictment	687
V.	
VAGRANTS , an Act respecting, 32-33 Vict., ch. 28.....	769
Punishment.....	770
VENUE , in uttering or putting off false or counterfeit coin.....	35
VENUE , in uttering a forged foreign bill or note.....	148
VENUE , in trial of murder in certain cases.....	226
VENUE , in certain cases under Larceny Act.....	638
Punishment.....	639
In cases of Perjury.....	743
VESSELS , placing gunpowder near, with intent, &c.....	697
Shipwrecked, offences respecting	243-540-702
VIADUCTS , injuries to	685
VEGETABLES , destroying, growing in a garden.....	677
Destroying, growing elsewhere.....	677
Stealing, growing in a garden.....	444
Stealing, not growing in a garden.....	446
VALUABLE SECURITIES , larceny of.....	425
Indictment	426
VIOLENCE , threats and molestation, an Act to amend the Criminal Law relating to	290

AAA

INDEX.	796
	PAGE
VOLUNTARY AND EXTRA JUDICIAL OATHS , an Act for the suppression of.....	747-752
W.	
WORKS OF ART , injuries to	691
WHARF , stealing from	537
Indictment.....	538
WILL , stealing, &c., &c.....	432
Indictment.....	432
* WOUNDING , with intent to murder.....	227
WOUNDING , with intent to maim, &c.....	244
WOUNDING , unlawfully, with intent to do grievous bodily harm..	249
Punishment.....	249
Indictment for unlawful wounding	251
WRECKS , offences respecting	243-540-702
Y.	
YARN , stealing, in process of manufacture	535