

imprisoned in the penitentiary for a term not more than ten years or less than one year, or be fined not more than five thousand dollars or less than five hundred dollars, or both in the discretion of the court.

Fraud—Conversion by Factors of Consigned Goods.

1890, ch. 619.

92 A. Every factor, commission merchant or consignee, and every person selling on commission any farm products of persons within this State, such as vegetables, fruit, grain, tobacco, poultry, eggs, cattle, swine or any other farm products whatsoever, shall require of every purchaser at the time of making such sale or sales to deposit with such factor, commission merchant, consignee or agent the full market value of all vessels such as crates, boxes, barrels, bags, baskets, casks or any other vessel or vessels used in the packing and transportation of any such farm products, to be fixed by such factor, commission merchant, consignee or agent. Such deposit shall be refunded to such purchaser or to the person entitled to receive the same in case he brings back within five days and delivers to such factor, commission merchant, agent or consignee the aforementioned vessel or vessels in as good condition as when he received the same; and if any purchaser shall fail to return such vessel or vessels within five days after receiving the same the said deposit shall be considered as forfeited, and the said factor, agent, consignee or commission merchant shall pay the same over to the owner of such vessel or to the person entitled to receive the same at the next ensuing settlement of accounts with such owner or person; and it shall be the duty of every such factor, agent, consignee or commission merchant whenever such vessels are returned to him to deliver the same to the transportation agent or carrier that brought them to the place of sale and to take a receipt therefor; the legal responsibility of the factor, agent, consignee or commission merchant for such vessels shall thereupon cease and determine, and the transportation agent or carrier so receiving the same shall become responsible to the owner or person entitled to receive the same for the full value of all such vessels until they shall have been deposited at the landing or station at which they were received.