

## TABLE OF STATUTES.

### EXTRA-JUDICIAL OATHS.

R. S. C., c. 141.

	PAGE
Section 1. Penalty for unlawfully administering oath.....	1
2. Act not to extend to certain oaths.....	1
3. Solemn declaration may be received.....	2
4. Who may take affidavits in insurance cases.....	2
Sch. Form of solemn declaration.....	2

### ACCESSORIES ACT.

R. S. C., c. 145.

Section 1. Accessories before the fact may be dealt with as principals.	23
2. May be indicted as such or as substantive felons.....	28
3. Principals in first and second degrees punished alike.....	28
4. Accessories after the fact may be indicted as such or as substantive felons.....	28
5. Punishment of accessories after the fact.....	29
6. Prosecution of, after conviction of principal.....	29
7. Trial of abettors in misdemeanor.....	29
8. And in offences on summary conviction.....	29

### TREASON ACT.

R. S. C., c. 146.

Section 1. Compassing death of Sovereign.....	30
2. Army officer or soldier corresponding with enemy.....	30
3. Compassing deposition of Sovereign and other offences.....	30
4. Conspiracy to intimidate legislative body.....	31
5. Procedure and evidence.....	31
6. Foreigner levying war in Canada to be tried by court martial.....	31
7. And British subject in company with foreigners, the like.....	31
8. Venue and punishment as to certain offenders.....	32
9. Statute 25 Ed. 3, c. 2, not affected by act.....	32

## TABLE OF STATUTES.

## RIOT ACT.

R. S. C., c. 147.

Section 1.	Riotous assembly may be dispersed by proclamation.....	23
2.	Punishment for hindering reading of, or disobeying proclamation.....	33
3.	Apprehension of offenders in such case.....	33
4.	Unlawful meetings for drill prohibited.....	34
5.	Punishment of persons acting as instructors.....	34
6.	And of persons receiving instruction.....	34
7.	Meeting may be dispersed, and persons attending it arrested.....	34
8.	Time for prosecution under four preceding sections limited	35
9.	Rioters demolishing churches, etc.....	35
10.	Rioters injuring buildings, etc.....	35
11.	Punishment for unlawful assembly.....	35
12.	Punishment for rout.....	36
13.	Punishment for riot.....	36
14.	Punishment for affray.....	36

## PERJURY ACT.

R. S. C., c. 154.

Section 1.	Punishment of perjury and subornation of perjury.....	41
2.	What shall constitute perjury.....	41
3.	Making false affidavit in one Province to be used in another.....	41
4.	Judge may direct prosecution for perjury committed before him.....	42
5.	All evidence material with respect to perjury.....	42

## ESCAPES AND RESCUES.

R. S. C., c. 155.

Section 1.	Felonious rescue.....	57
2.	Escape or rescue from lawful custody.....	57
3.	Escape while being conveyed to a penitentiary.....	57
4.	Escape from a penitentiary while at work.....	57
5.	Breaking out of a penitentiary.....	57
6.	Rescuing prisoner from a penitentiary.....	57
7.	Keepers allowing prisoner in penitentiary to escape.....	58
8.	Unlawfully procuring discharge of prisoner.....	58
9.	Escape from reformatory prison or school.....	58
10.	Assisting, etc., in such escape.....	58
11.	Punishment of escaped prisoners.....	58

## OFFENCES AGAINST RELIGION.

R. S. C., c. 156.

Section 1. Obstructing or assaulting a clergyman in the discharge of his duties.....	64
2. Disturbing congregation met for religious worship.....	64

## OFFENCES AGAINST PUBLIC MORALS.

R. S. C., c. 157.

Section 1. Punishment for sodomy.....	66
2. Attempts.....	67
3. Seduction and unlawful intercourse with idiot, etc.....	68
4. Seduction under promise of marriage.....	69
5. Inducing resort for carnal illicit knowledge.....	69
6. Evidence, &c., on proceedings under the three last preceding sections.....	69
7. Procuring defilement of girl and proceedings.....	70
8. Punishment of loose, idle or disorderly persons, or vagrants	71

## OFFENCES IN RELATION TO MARRIAGE.

R. S. C., c. 161.

Section 1. Unlawfully solemnizing marriage, etc.....	75
2. Procuring feigned marriage, etc.....	75
3. Solemnizing marriage in violation of provincial law.....	75
4. Bigamy.....	76

## OFFENCES AGAINST THE PERSON.

R. S. C., c. 162.

Section 1. Interpretation "loaded arms".....	141
2. Punishment of murder.....	141
3. Conspiracy to murder.....	141
4. Accessory after the fact to murder.....	142
5. Punishment of manslaughter.....	142
6. Excusable homicide.....	142
7. Petit treason.....	146
8. Poisoning, wounding, etc., with intent to murder.....	147
9. Destroying buildings, with like intent.....	152
10. Setting fire to ship with like intent.....	152
11. Attempting to poison, shoot, drown, &c., with like intent.....	152
12. Attempting murder by any other means.....	157
13. Attempts to maim, disfigure, &c.....	158
14. Inflicting grievous bodily harm.....	163
15. Attempts to choke, etc., in order to commit an offence.....	166
16. Using chloroform for like purpose.....	167

(OFFENCES AGAINST THE PERSON—(Continued.)

17. Administering poison so as to endanger life.....	167
18. Administering poison with intent to injure.....	167
19. Ill-usage of apprentices, servants, &c.....	168
20. Exposing children.....	172
21. Causing bodily harm by explosives.....	174
22. Sending gunpowder, &c., with intent to do bodily harm ...	174
23. Placing explosive near a building or vessel.....	174
24. Setting spring-guns, &c.....	176
25. Placing things on railway to endanger passengers.....	177
26. Casting things at railway carriage to endanger passengers	178
27. Doing or omitting anything to endanger passengers.....	178
28. Injuries by furious driving.....	182
29. Leaving unguarded holes cut for purpose of obtaining ice.	182
30. Leaving unused mine or quarry unguarded.....	182
31. Second offence.....	183
32. If loss of life occurs offence to be manslaughter.....	183
33. Negligently causing bodily injury.....	183
34. Assault with intent to commit felony.....	184
35. Assault occasioning bodily harm.....	184
36. Common assault.....	184
37. Rape.....	197
38. Assault with intent to commit rape.....	197
39. Abusing a girl under ten.....	204
40. Abusing a girl between ten and twelve.....	205
41. Attempt to commit either of the last two offences.....	207
42. Abduction of woman from motives of lucre or by fraud....	208
43. Forceful abduction.....	211
44. Abduction of a girl under sixteen.....	212
45. Child stealing.....	215
46. Kidnapping.....	216
47. Attempt to procure abortion.....	218
48. Procuring things to cause abortion.....	220
49. Concealing the birth of a child.....	221

LIBEL ACT.

R. S. C., c. 163.

Section 1. Publishing, &c., libel with intent to extort money.....	225
2. Publishing defamatory libel, knowing it to be false.....	225
3. Publishing any defamatory libel.....	225
4. Truth of defamatory matter a defence.....	225
5. Publication without authority of defendant a defence.....	225
6. Publication by order of legislative body.....	226
7. Proceedings in such case.....	226
8. Evidence in such case.....	226

## LARCENY ACT.

R. S. C., c. 164.

Section 1.	Short Title.....	278
2.	Interpretation.....	278
3.	All larcenies of the same nature.....	281
4.	Bailees guilty of larceny.....	281
5.	Punishment of larceny.....	290
6.	Larceny after conviction for felony.....	291
7.	Stealing cattle.....	291
8.	Killing cattle, &c., with intent to steal.....	293
9.	Stealing domestic animals.....	293
10.	Killing pigeons.....	294
11.	Stealing oysters, &c.....	294
12.	Stealing valuable securities.....	295
13.	Stealing deeds, &c.....	301
14.	Stealing wills, &c.....	302
15.	Stealing records.....	302
16.	Stealing railway tickets.....	305
17.	Stealing fixtures.....	305
18.	Stealing trees in parks, &c.....	307
19.	Stealing " elsewhere.....	308
20.	Receiving stolen trees.....	310
21.	Stealing fences.....	310
22.	Possession of stolen wood.....	310
23.	Stealing fruit in gardens, &c.....	311
24.	Stealing vegetables elsewhere.....	312
25.	Stealing from mines.....	312
26.	Fraudulently removing ore in mines.....	313
27.	Fraudulently concealing royalty.....	314
28.	Selling or purchasing quartz, &c., without authority.....	314
29.	Purchasing gold in quartz, &c., without giving proper receipt.....	314
30.	Possession of smelted gold, etc., <i>prima facie</i> evidence that same has been stolen.....	314
31.	Defrauding partners, etc., in mine.....	314
32.	Robbery.....	315
33.	Assault with intent to rob.....	315
34.	Robbery with violence, etc.....	321
35.	Sacrilege.....	340
36.	What is part of a house.....	351
37.	Burglary.....	351
38.	Punishment of burglary.....	351
39.	Entering house by night with intent, etc.....	356
40.	Breaking into, etc., building within curtilage.....	358

## TABLE OF STATUTES.

## LARCENY ACT—(Continued.)

41. Housebreaking, etc .....	361
42. Housebreaking with intent, etc.....	365
43. Being armed by night with intent, etc.....	367
44. Being armed after previous conviction.....	367
45. Larceny in the house.....	371
46. Larceny with menaces.....	374
47. Stealing goods in process of manufacture.....	378
48. Stealing goods intrusted for manufacture.....	379
49. Stealing from ships, etc.....	379
50. Stealing property under seizure.....	381
51. Larceny by clerks and servants.....	381
52. Embezzlement by clerks and servants.....	383
53. Larceny by persons in the Queen's service.....	401
54. Embezzlement by persons in the Queen's service.....	401
55. Refusal to deliver up public books, etc.....	402
56. Stealing election documents.....	403
57. Stealing by tenants and lodgers.....	404
58. Stealing by partners.....	405
59. Embezzlement by bank officer.....	407
60. Agents, banker, etc., embezzling property.....	407
61. Bankers fraudulently selling property.....	409
62. Fraudulently selling property under power of attorney....	409
63. Factors fraudulently obtaining advances.....	410
64. Definition of terms relating to factors.....	410
65. Trustees fraudulently disposing of property.....	411
66. Directors fraudulently disposing of property.....	412
67. Directors keeping fraudulent accounts.....	412
68. Directors wilfully destroying books.....	412
69. Directors publishing fraudulent statements.....	412
70. Embezzlement by officers, etc., of unincorporated societies.	412
71. All questions must be answered, etc.....	413
72. No civil remedy affected.....	413
73. Keepers of warehouses, etc., giving false receipts.....	413
74. Owners selling after advance by consignees.....	414
75. Making false statements in receipts for grain, etc.....	415
76. As to partners.....	415
77. False pretences.....	420
78. Inducing persons by fraud to execute deeds.....	440
79. Pretending to have inclosed money, etc., in post letter....	440
80. Winning money by cheating at games. ...	443
81. Obtaining passage in steamers, etc., by false tickets.....	443
82. Feloniously receiving stolen property.....	443
83. Receiving in misdemeanors.....	444
84. Receivers in summary offences.....	444

## LARCENY ACT—(Continued.)

85. Fraudulently depriving another of the use of his property.	452
86. Punishment in such case where property is worth over \$200 .....	457
87. Appropriating timber, etc., found adrift.....	457
88. Bringing stolen property into Canada.....	458
89. Taking reward for recovery of stolen property.....	459
90. Advertising a reward for .....	460
91. Concealment of deeds, etc.....	460
92. Provisions applying only to Quebec.....	461
93. Fraudulent sale of property.....	461
94. Fraudulent hypothecation of property.....	461
95. Seizing township lands under execution against private person .....	461
96. Provisions applying only to British Columbia.....	462
97. False statements, etc., in transactions relating to land.....	462
98. Injuring, etc., anything on Indian grave.....	462

## FORGERY ACT.

R. S. C., c. 165.

Section 1. Interpretation .....	488
2. Possession, what.....	488
3. What shall be deemed forgery .....	488
4. Forging great seal, etc.....	489
5. Forging document with signature of Governor, etc.....	490
6. Forging letters patent.....	490
7. Forging public registers.....	490
8. Forging transfer of stock, etc.....	491
9. Personating owner of stock.....	493
10. Forging powers of attorney .....	494
11. Making false entries in bank books.....	494
12. Clerks making out false dividend warrants.....	495
13. Forging debentures, etc .....	497
14. Making plates for debentures, etc .....	497
15. Making paper for debentures, etc.....	498
16. Possession of such paper, etc.....	498
17. Forging stamps, etc.....	499
18. Forging bank notes....	503
19. Receiving, etc., forged bank notes.....	505
20. Having moulds with words used for Dominion notes, etc., on them.....	506
21. Proviso as to bills of exchange.....	506
22. Engraving plates for making bank notes.....	507
23. Engraving words, etc., on plates .....	507

## FORGERY ACT—(Continued.)

24. Having moulds with bankers names, etc.....	508
25. Forging or engraving plates for foreign bills.....	508
26. Forging deeds, etc.....	510
27. Forging wills.....	511
28. Forging bills of exchange, etc.....	512
29. Forging orders, receipts, etc.....	517
30. Drawing bills "per procuracy".....	521
31. Obliterating crossings on cheques.....	523
32. Forging debentures.....	523
33. Forging railway tickets.....	523
34. Forging proceedings of courts.....	523
35. Uttering false copies, etc., of records.....	524
36. Forging instruments of evidence.....	524
37. Uttering forged proclamation, etc.....	524
38. Forging registry of deeds.....	526
39. Forging orders, etc., of justices.....	526
40. Forging name of judge, etc.....	526
41. Falsely acknowledging bail.....	527
42. Forging marriage license.....	527
43. Forging or altering registers of births, etc.....	527
44. Forging, etc., certified copies of register.....	528
45. Demanding property on forged instruments.....	530
46. Forging any document.....	531
47. Forging documents in law bills, etc.....	531
48. Forging instruments made out of Canada.....	532
49. Or payable out of Canada.....	532
50. Forgeries punishable more severely than under this act...	534

## COIN ACT.

R. S. C., c. 167.

Section 1. Interpretation.....	535
2. Possession, what is.....	536
3. Counterfeiting current gold or silver coin.....	537
4. Coloring coin.....	539
5. Impairing coin.....	541
6. Unlawful possession of filings, etc.....	541
7. Buying, etc., counterfeit coin.....	542
8. Importing counterfeiting coin.....	543
9. Exporting.....	543
10. Uttering counterfeit coin.....	544
11. Passing light coin.....	544
12. Having same in possession.....	544
13. Offence under three last sections after previous conviction.	547



## COIN ACT—(Continued.)

14. Uttering foreign coin, etc. ....	548
15. Counterfeiting, etc., copper coin .....	548
16. Uttering base copper coin.....	549
17. Defacing coin by stamping.....	549
18. Uttering coin so defaced.....	549
19. Counterfeiting foreign gold and silver coin.....	549
20. Bringing same into Canada.....	549
21. Penalty for uttering.....	550
22. Having in possession .....	550
23. Counterfeiting other foreign coin.....	550
24. Making, etc., coining tools.....	551
25. Unlawfully conveying tools, etc., out of mint.....	555
26. Cutting, etc., counterfeit coin.....	555
27. When offence deemed complete.....	556
29. Unlawful manufacture, etc., of copper coin ..	556
29. Seizure of such coin.....	556
30. Enforcing penalty.....	557
31. Recovery from the owner in certain cases. ....	557
32. Officers of customs may seize counterfeit coin.....	557
33. Uttering unlawful copper coin.....	557
34. Application of penalties.....	557

## MALICIOUS INJURIES ACT.

R. S. C., c. 168.

Section 1. Interpretation.....	558
2. Setting fire to church, etc.....	558
3. Setting fire to dwelling house, any person being therein...	561
4. Setting fire to house, etc.....	562
5. Setting fire to railway station, etc.....	565
6. Setting fire to Her Majesty's docks, etc.....	566
7. Setting fire to any public building.....	566
8. Setting fire to other buildings. ....	567
9. Setting fire to contents of buildings.....	568
10. Attempting to set on fire.....	570
11. Setting fire by negligence to forest, etc.....	571
12. The like, maliciously.....	571
13. Destroying house with gunpowder, etc.....	572
14. Attempting same.....	572
15. Injuries to buildings by tenants.....	574
16. Destroying goods in process of manufacture.....	575
17. Destroying machinery.....	576
18. Setting fire to crops of hay, etc.....	578
19. Setting fire to stacks of corn, etc.....	578

## MALICIOUS INJURIES ACT—(Continued.)

20. Attempt in such case.....	578
21. Destroying hop-binds, etc.....	579
22. Destroying trees in park, etc.....	580
23. Destroying trees elsewhere.....	580
24. Damaging trees.....	582
25. Destroying fruit, etc., in garden.....	583
26. Destroying vegetables growing elsewhere.....	584
27. Destroying fences.....	584
28. Setting fire to coal-mine.....	585
29. Attempt.....	585
30. Conveying water, etc., into mine.....	586
31. Damaging machinery in mine.....	586
32. Destroying sea-bank, etc.....	588
33. Removing piles in sea-bank, etc.....	588
34. Damaging fish-pond, etc.....	589
35. Injuring public bridge, etc.....	590
36. Destroying turnpike gate, etc.....	591
37. Damages to railway.....	591
38. Obstructing use of railway.....	592
39. The like by wilful omission or neglect.....	592
40. Injuries to telegraph, etc.....	592
41. Attempt.....	593
42. Injuries to works of Art.....	596
43. Killing or maiming cattle.....	597
44. Attempting to poison, etc., cattle.....	597
45. Killing or maiming other animals.....	599
46. Setting fire, etc., to ship.....	600
47. The like with intent to prejudice owners, etc.....	600
48. Attempting to commit such offences.....	600
49. Placing gunpowder near a ship with intent.....	604
50. Damaging ships otherwise.....	604
51. Exhibiting false signals, etc.....	604
52. Injuring, etc., lighthouses, buoys, etc.....	605
53. Fastening vessels to buoys, etc.....	606
54. Cutting booms, etc., adrift.....	606
55. Injuries to poll-booms, etc.....	606
56. Defacing, etc., land marks of Province.....	607
57. And of concession, etc.....	607
58. Damages not otherwise provided for exceeding \$20.....	607
59. The same not exceeding \$20.....	609
60. Malice against owner not necessary.....	611
61. Act to apply to persons in possession of property injured..	611

## THREATS ACT

R. S. C., c. 173.

Section 1. Letters demanding money, etc., with menaces.....	613
2. Demanding money, etc., with menaces.....	615
3. Letters threatening to accuse of crime.....	617
4. Accusing, etc., of crime.....	619
5. Inducing person to execute deeds, etc., by violence.....	621
6. Immaterial by whom menaces are to be executed.....	623
7. Letters threatening to murder.....	622
8. Letters threatening to burn, etc., houses.....	625
9. Assault arising from combination.....	625
10. Assault with intent to obstruct sale of grain.....	627
11. Assaults on seamen, etc.....	627
12. Certain acts contrary to free action.....	627
13. Trade combination defined.....	628
14. Preventing bidding for public lands.....	629
15. Breach of contract endangering life, etc.....	629
16. Breach of contract by a corporation.....	630
17. Breach of contract by a railway company.....	630
18. Malice need not be against a particular individual.....	630
19. Corporations to keep provisions posted up.....	630
20. Making gift, etc., for influence respecting a government contract.....	631
21. Making gift, etc., to tenderer for contract.....	631
22. Public officers receiving gifts, etc., for assistance in such contracts.....	632
23. Offenders disqualified.....	632
24. Time for prosecution limited.....	632
25. Violation of statute.....	632
26. Fraud or cheating.....	633
27. Destroying books, etc., to defraud creditors.....	633
28. Transferring property to defraud creditors.....	638
29. Misconduct of sheriffs, etc.....	638
30. Embracery.....	638
31. Discontinuing <i>qui tam</i> actions.....	638

## PROCEDURE ACT.

R. S. C., c. 174.

Section 1. Short title.....	640
2. Interpretation.....	640
3. Powers of Superior Court.....	641
4. Courts not to try certain offences.....	641
5. Justices, etc., not to try certain offences by explosives.....	646
6. Sessions not to try certain offences under Larceny Act.....	646

## PROCEDURE ACT—(Continued.)

7. Certain magistrates may act alone .....	646
8. Offences within jurisdiction of the Admiralty.....	646
9. Death in Canada from hurt received abroad, and vice <i>versâ</i> .....	646
10. Offences committed on confines of districts, etc.....	652
11. Offences committed on persons or property in transit. ....	653
12. Offences on highways, etc., dividing two districts.....	653
13. Place of trial after dissolution of union of counties.....	654
14. Place of offences in provisional districts.....	655
15. Commitment and trial in Gaspé.....	656
16. Venue in certain offences.....	656
17. Place of trial of accessories.....	657
18. Place of trial for forgery offences.....	657
19. Place of trial for offences by kidnapping.....	658
20. Place of trial for receiving stolen goods.....	658
21. Place of trial for bringing stolen property into Canada..	659
22. Place of trial for having property in one part of Canada stolen in another.....	662
23. Uttering counterfeit coin, etc., in more places than one..	663
24. Apprehension without warrant by officer in certain cases..	664
25. And by any person in certain other cases.....	664
26. Apprehension by person to whom property is offered for sale.....	664
27. Apprehension of offenders caught in the act in the night time.....	664
28. Apprehension in other cases without warrant.....	665
29. Apprehension of person committing coinage offence.....	665
30. Warrant against person charged with offence.....	678
31. Or summons.....	678
32. Indictable offences on the high seas.....	678
33. Warrant against person indicted by grand jury.....	679
34. Commitment or bail in such case.....	679
35. Proceedings when person indicted is in custody.....	679
36. Bench warrants not prevented.....	679
37. Warrant may be issued on Sunday, etc.....	679
38. If warrant to be issued information to be upon oath.....	680
39. And also in case of summons unless otherwise provided.	680
40. Nature of summons.....	680
41. Service of summons.....	680
42. Proof of service.....	680
43. Warrant for not obeying summons.....	680
44. What warrant shall contain.....	681
45. Seal of Justice.....	681

## PROCEDURE ACT—(Continued.)

46. Warrant in force until executed.....	681
47. Execution of warrant.....	681
48. Who may execute.....	681
49. Backing warrants.....	682
50. Proceedings after arrest.....	682
51. Search warrants in certain cases.....	682
52. And in certain other cases.....	683
53. Search warrant for gold, silver, quartz, etc.....	683
54. Search for timber, etc.....	683
55. Search for forged notes, etc.....	684
56. Counterfeit coin, etc., may be seized.....	684
57. Place of preliminary examination not an open court.....	685
58. No objection for defects.....	685
59. Adjournment in case of variance.....	686
60. Summoning witnesses.....	686
61. Warrant for disobedience.....	686
62. Warrant in first instance.....	686
63. Commitment of witness for contempt.....	686
64. Remand of accused.....	687
65. Verbal remand for three days.....	687
66. Hearing before expiration of demand.....	687
67. Admission to bail on demand.....	687
68. Forfeiting recognizance.....	687
69. Examination to be in presence of accused.....	688
70. Depositions to be read to accused.....	688
71. Explanations to be made to the accused.....	688
72. Not to prevent giving confession in evidence.....	689
73. Proceedings on conclusion of evidence.....	689
74. Accused entitled to copy of depositions.....	689
75. Recognizances to prosecute, etc.....	690
76. To be subscribed by justice.....	690
77. To be transmitted to Court.....	690
78. Commitment for refusing to give recognizance.....	690
79. Release on discharge of accused.....	690
80. Preliminary proceedings in certain offences.....	691
81. Bail for felony not capital.....	691
82. Bail by judge of Superior or County Court.....	692
83. Bail for treason or capital felony.....	692
84. Warrant of deliverance.....	692
85. Conveyance of prisoners to gaol.....	692
86. Person apprehended in one division for offence committed in another, proceedings.....	693
87. Transmission of evidence in such case.....	693
88. Expenses of conveyance.....	693

## TABLE OF STATUTES.

## PROCEDURE ACT--(Continued.)

89. Receipt to constable for accused.....	694
90. Payment of charges for conveyance.....	694
91. Recognizances void in certain cases.....	694
92. Duty of coroner in case of murder, etc.....	694
93. Bail in such case.....	695
94. Order on admission to bail.....	695
95. Penalty for contravention.....	695
96. Provisions to apply to all justices, etc.....	695
97. Removal of prisoners from insecure gaol.....	695
98. Direction to sheriff.....	696
99. Removal for trial.....	696
100. Removal after sentence.....	696
101. Arraignment of indicted prisoner.....	696
102. Change of venue.....	697
103. Indictment need not be on parchment.....	708
104. Venue in margin sufficient.....	708
105. Abolition of benefit of clergy.....	712
106. Several acts of treason may be charged.....	725
107. Form of indictment for perjury.....	725
108. And for subornation of perjury.....	726
109. Form of indictment for murder, etc.....	726
110. Form of stealing, etc., document of title to lands.....	727
111. Distinct act of embezzlement may be charged.....	727
112. Form of indictment for obtaining property by false pretences.....	727
113. Intent to defraud need not be stated.....	728
114. Form of indictment for forgery.....	728
115. Form of indictment for buying, etc., counterfeit coin.....	729
116. Form of indictment for malicious injury to property.....	730
117. When ownership of property need not be alleged.....	730
118. Ownership of partnership property how laid.....	731
119. Partners, etc., how described.....	731
120. Property in roads, etc., how laid.....	734
121. Ownership of property in possession of public officers, how laid.....	735
122. Property of body corporate.....	735
123. Venue in indictment for stealing oysters.....	736
124. In indictment for stealing minerals, property in whom laid.....	736
125. Stealing postage stamps, the like.....	737
126. Embezzlement by persons in the public service the like...	737
127. Form of indictment for stealing by lodgers.....	737
128. Omission of certain averments, etc., not fatal.....	738
129. Money or bank notes, how described.....	747

## PROCEDURE ACT—(Continued.)

130. Description of instruments generally.....	748
131. Description of forged instrument.....	749
132. Description of unlawful engraving.....	750
133. Joinder of accessories.....	750
134. Joinder of offences in larceny.....	750
135. Joinder of offences of stealing and receiving.....	751
136. Indictment of receiver.....	753
137. Indictment in misdemeanor.....	753
138. Indictment in joinder of offenders.....	753
139. Indictment after previous conviction.....	753
140. Preliminary requirements as to certain indictments.....	767
141. Postponing trial.....	771
142. Effect of plea in abatement.....	776
143. Objection to indictment.....	778
144. Effect of plea of "not guilty".....	787
145. Entering plea for defendant.....	788
146. Autrefois convict or acquit.....	791
147. Plea of attainder.....	803
148. Plea in case of libel.....	227
149. Special plea.....	227
150. Effect of plea of justification.....	227
151. Plea of not guilty in addition.....	227
152. Proceedings on indictment for libel.....	227
153. Costs in private prosecution for libel.....	228
154. Recovery of such costs.....	228
155. Appearance of corporation indicted.....	804
156. Certiorari not required, etc.....	805
157. Notice to corporation of indictment.....	805
158. Proceedings on default.....	805
159. Ex parte trial in such case.....	805
160. Qualification of jurors.....	805
161. Juries <i>de medietate linguarum</i> .....	806
162. Quaker, etc., sworn as a juror.....	806
163. Peremptory challenge by prisoner.....	807
164. Challenges by the Crown.....	818
165. Jurors stood aside in case of libel.....	818
166. Mixed juries in Quebec.....	823
167. Mixed juries in Manitoba.....	826
168. Talesmen.....	826
169. Jury may separate.....	827
170. Saving of powers of Court.....	831
171. View by jury.....	832
172. Duties of sheriffs on view.....	832
173. Swearing witnesses before grand jury.....	832

## PROCEDURE ACT—(Continued.)

174. Examination of such witness .....	833
175. Name of witness to be endorsed on bill.....	833
176. Who may be examined.....	833
177. As to fees in such case.....	833
178. Full defence allowed.....	835
179. Address of counsel.....	835
180. Inspection of depositions by prisoners.....	853
181. Copy of indictment to prisoners.....	853
182. And of depositions.....	853
183. Verdict of attempt on trial for committing offence.....	864
184. Prisoner in misdemeanor not acquitted when facts in evidence prove felony.....	862
185. No liability for attempt after trial for commission.....	863
186. Indictment for felony valid though facts amount to treason.....	864
187. No inquiry concerning lands.....	864
188. Conviction for concealment of birth on trial for child murder.....	865
189. Conviction for causing grievous bodily harm on trial for felony.....	866
190. Conviction of misdemeanor on trial for felony by poisoning.....	868
191. Verdict of assault in cases of felony including assault.....	868
192. Conviction of assault on trial for robbery.....	882
193. Conviction of house-breaking on trial for burglary.....	883
194. Proof of burglary not a defence on charge of house-breaking.....	883
195. On trial for embezzlement conviction may be of larceny, and <i>vice versa</i> .....	884
196. No acquittal of obtaining by false pretences because offence amounts to larceny.....	885
197. The like in cases of frauds by agents, of.....	886
198. Conviction of obtaining by false pretences on trial for larceny.....	886
199. When indictment for stealing contains a count for receiving.....	886
200. Conviction on indictment for jointly receiving.....	888
201. Conviction of fraudulent appropriation on trial for larceny.....	888
202. Three takings may be proved on one charge.....	888
203. Evidence of former possession of other stolen goods in cases of receiving.....	891
204. And of previous conviction of fraud, etc., in such cases...	892
205. Differences in date, etc., of true and false coin, not ground for acquittal.....	835



## PROCEDURE ACT—(Continued.)

206. On trial for destroying buildings, conviction may be of injurying .....	37
207. Proof of previous conviction.....	892
208. Impounding documents.....	893
209. Destroying counterfeit coin.....	893
210. Attendance of witnesses.....	894
211. Arrest for non-attendance.....	894
212. Witnesses in Canada but without jurisdiction of court...	894
213. Witnesses in penitentiary, etc.....	895
214. No incapacity from crime or interest.....	896
215. Interest in question, etc., not to disqualify.....	896
216. When defendant, etc., competent witness.....	899
217. In other cases not.....	899
218. Corroborative evidence necessary in forgery cases.....	900
219. Quaker, etc., sworn as a witness.....	901
220. Evidence of persons ill.....	901
221. Presence of prisoner at taking.....	902
222. Use of depositions in such case.....	902
223. Evidence of statement of accused.....	906
224. Use of depositions taken on preliminary investigation....	906
225. Proof of trial at which perjury was committed.....	906
226. Evidence of carnal knowledge.....	907
227. Evidence at trial for child murder.....	907
228. Evidence of ownership of timber.....	908
229. Evidence of coin being false, etc.....	908
230. Proof of previous conviction.....	908
231. Proof of previous conviction of a witness.....	909
232. When attestation need not be proved.....	912
233. Proof of handwriting.....	913
234. Discrediting witness .....	913
235. Cross-examination as to previous statements in writing..	914
236. Proof of contradictory statements by witness.....	915
237. Variances how corrected .....	916
238. Amendment of indictment.....	917
239. Trial after amendment.....	917
240. Amending order to be recorded.....	917
241. Second trial.....	918
242. Verdict, etc., valid after amendment.....	918
243. Record in such case.....	918
244. Record of conviction or acquittal.....	940
245. Certain defects not fatal.....	945
246. Certain defects not to stay or reverse judgment after ver- dict.....	946
247. Verdict not to be impeached for certain omissions as to jurors.....	956

## PROCEDURE ACT—(Continued.)

248. Costs on conviction for assault.....	956
249. How recovered .....	957
250. Restitution of stolen property.....	957
251. Restitution of money taken from prisoner.....	961
252. Acquittal for insanity.....	962
253. Order for safe custody in such case.....	962
254. Like order in certain other cases.....	962
255. Proceedings when prisoner found insane at trial.....	962
256. And in case of prisoner about to be discharged .....	963
257. Orders for safe custody in such cases.....	963
258. Removal, etc., of insane prisoner.....	963
259. Question may be reserved.....	965
260. Judge to state a case.....	966
261. Proceedings in Court of Crown cases reserved.....	968
262. How judgment shall be certified.....	968
263. Delivery of judgment .....	967
264. Case may be sent back.....	967
265. Writs of error.....	972
266. On what founded.....	972
267. Proceedings in Court of Error.....	973
268. New trials .....	978
269. Judge, etc., in Ontario may reserve decision.....	1023
270. Procedure in High Court of Justice.....	1024
271. Holding assizes.....	1024
272. Gaol delivery.....	1024
273. Defence in criminal trial in High Court of Justice.....	1024
274. Defendant may be required to plead forthwith.....	1024
275. Provision if defendant is not brought to trial within twelve months.....	1025
276. Calendar of criminal cases for grand jury in N.S.....	1025
277. When sentence may be pronounced in N.S.....	1025
278. Forms in schedule to be sufficient.....	1025
279. Army and navy laws not affected.....	1026
Sch. 2. Forms of indictment .....	1031
3. Form of judgment of Court of Crown cases reserved.....	1036

## RECOGNIZANCES ACT.

R. S. C., c. 179.

Section 1. Surety may obtain order to render.....	1037
2. Sureties may arrest, etc.....	1037
3. Application for bail.....	1037
4. Entry of render.....	1037
5. Render in open court.....	1036

## RECOGNIZANCES ACT—(Continued.)

6. Arraignment, etc., not to discharge recognizance.....	1038
7. Other rights not affected .....	1038
8. Fines, etc., to be entered on a roll.....	1038
9. Duplicate roll to be transmitted to sheriff.....	1039
10. List of estreats to be prepared.....	1039
11. List to be submitted to a judge.....	1039
12. Court may forbear estreating.....	1040
13. Minute on roll by judge.....	1040
14. Proceedings when lands are seized.....	1040
15. Affidavit of clerk at foot of roll.....	1040
16. Release of person in custody, etc.....	1041
17. Discharge of forfeited recognizance.....	1041
18. Return of writ.....	1041
19. Copy of roll, etc., for Minister of Finance.....	1041
20. Payments by sheriff.....	1042
21. Provisions applicable to Quebec .....	1042
22. Proceedings on estreat of recognizance in Quebec.....	1042
23. Transmission of recognizance in such case.....	1043
Sch. Form of writ of <i>feri facias</i> .....	1044

## FINES AND FORFEITURES ACT.

R. S. C., c. 180.

Section 1. Recovery of penalties when no other mode is prescribed...	1046
2. To belong to the Crown in certain cases.....	1046
3. Or otherwise applied by Order-in-Council.....	1046
4. To form part of Consolidated Revenue Fund.....	1046
5. Limitation of actions.....	1047

## PUNISHMENTS AND PARDONS ACT.

R. S. C., c. 181.

Section 1. Punishment after conviction only.....	1048
2. Degrees of punishment.....	1048
3. If offender is punishable under two or more acts, etc.....	1048
4. Conviction by verdict or on confession.....	1048
5. Sentence on conviction for treason.....	1048
6. Sentence on conviction for murder.....	1048
7. Order for execution.....	1049
8. Report by judge.....	1049
9. Treatment of condemned prisoner.....	1049
10. Judgment of death where executed.....	1049
11. Sheriff, etc., to be present.....	1050
12. Justices, etc., may be present.....	1050

## PUNISHMENTS AND PARDONS ACT—(Continued.)

13. Surgeon to certify death.....	1050
14. Declaration to be signed by sheriff, etc.....	1050
15. Deputies may act ..	1050
16. Coroner's inquest on body.....	1050
17. Officers, etc., not to be jurors.....	1050
18. Burial.....	1050
19. Penalty for false certificate.....	1051
20. Certificate, etc., to be sent to Secretary of State.....	1051
21. Saving clause as to legality of execution.....	1051
22. Judgment of death, other matters concerning.....	1051
23. Punishment for offence not capital.....	1052
24. Punishment for felony .....	1052
25. Second conviction for felony.....	1052
26. Term of imprisonment.....	1052
27. Offender convicted of more offences than one.....	1053
28. Imprisonment in penitentiary.....	1053
29. Reformatories.....	1054
30. Whipping.....	1054
31. Sureties for keeping the peace, etc.....	1055
32. Notice to judge of want of sureties.....	1055
33. Fine.....	1055
34. Solitary confinement and pillory abolished .....	1068
35. Deodand.....	1068
36. Attainder.....	1068
37. Heir may enter after death of person attainted. ....	1069
38. Pardon.....	1074
39. Effect of pardon .....	1074
40. Commutation of sentence.....	1075
41. Undergoing sentence equivalent to pardon.....	1075
42. Undergoing punishment, etc., a bar to further proceedings	1076
43. Royal prerogative saved.....	1076
44. Rules as to executions.....	1076
45. Rules to be laid before Parliament .....	1076
46. Forms in Schedule to be used.....	1076
47. Army and navy laws not affected.....	1076
Sch. Forms.....	1077