

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1860. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1860.

23 Victoria – Chapter 33

An Act in amendment of the Law relating to Summary Convictions. Passed 9th April 1860.

Section.

1. Sec. 4, Chap. 138, Rev. Stat. repealed.

How property having several owners shall be laid in information.

Section.

2. No information, &c. to be insufficient for specified inaccuracies.

Be it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. Section 4, of Chapter 138, of the Revised Statutes, is hereby repealed; and in lieu thereof, in all proceedings under any of the provisions of the said Chapter, where more persons than one shall be the owners of property, real or personal, in respect whereof any offence therein mentioned has been committed, the information may name one of the owners, partners, parceners, joint tenants or tenants in common, joint stock companies or trustees, stating the property to be his and that of another: If the offence shall be committed in, upon, or in respect of any building or erection belonging to, or used in whole or in part, by any County, or on or with respect to any goods provided for at the expense of any County, or be used on or in any such building or erection, it shall be sufficient to state the property, real or personal, to belong to the inhabitants of such County, without specifying the names of such inhabitants; or if committed on or with respect to any property, real or personal, under the management or in the occupation or charge of any Public, County or Parish Officer or Commissioner, it shall be sufficient to state the property, real or personal, to belong to such Officer or Commissioner, without specifying his name.

2. No information, or conviction, or proceeding founded thereon, shall be held insufficient for omitting to state the time at which the offence was committed, in any case where time is not of the essence of the offence, or for stating the time imperfectly, or for stating the offence to have been committed on a day subsequent to the taking of the information, or on an impossible day or day that never happened, nor for want of exactness in the quantity, number, value or price, amount, damage, injury or spoil, in specifying the offence, or statement of the case; nor for want of or imperfection in the addition of any defendant; nor for stating the offence in the words of any Act or Statute, whether such words be disjunctively stated, and appear to include more than one offence or otherwise.