



ANNO NONO
VICTORIÆ REGINÆ.

CAP. III.

An Act to amend the Law in cases of Forgery.

[18th May, 1846.]

WHEREAS it is expedient that in prosecutions for Forgery, justice should not be defeated by clerical or verbal inaccuracies in the proceedings, and that the party interested should be rendered a competent witness: 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, 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 in all informations or indictments, either at Common Law or by virtue of any Statute, against any person or persons for forging any deed, writing, instrument, or other matter whatsoever, or for uttering or disposing of any deed, writing, instrument, or other matter whatsoever, knowing the same to be forged, or for being accessory before or after the fact, to any such offence, if the same be a felony, or for aiding, abetting and counselling the commission of any such offence, if the same be a misdemeanor, it shall not be necessary to set forth any copy or *fac simile* of such deed, writing, instrument, or other matter, but it shall be sufficient to describe such deed, writing, instrument, or other matter, in such manner as would sustain an indictment for stealing the same.

Preamble.

In all indictments for forgery, it shall not be necessary to set forth a *fac simile* of the forged deed, &c.

II. And be it enacted, That in all prosecutions by indictment or information against any person or persons for any offence above mentioned, no person or persons shall be deemed to be an incompetent witness or incompetent witnesses in support of any such prosecution, by reason of any interest which such person or persons may have, or be supposed to have in respect of such deed, writing, instrument, or other matter: Provided always, that the evidence of the person or persons so interested, or supposed to be interested, shall in no case be deemed sufficient to sustain a conviction for any of the said offences, unless the same be corroborated by other legal evidence in support of such prosecution.

Person interested in the forged deed, &c., not to be incompetent witness for the prosecution.

Proviso; such evidence must be corroborated by other legal evidence.

MONTREAL:—Printed by STEWART DERBISHIRE & GEORGE DESBARATS,
Law Printer to the Queen's Most Excellent Majesty.