

Form in Schedule to Act of 1851 may be altered.

Amendment allowed and further time to plead, &c.

Persons examined must answer even if they disclose facts subjecting them to penalty.

Proviso.

Commencement of Act.

in their nature and only constituting different categories of the same offence, may be included, provided the time and place of the commission of each offence be alleged; and the form in Schedule D annexed to the said Act shall be altered in this particular; and the Information or Plea may be amended before plea to the merits in any matter of form or substance, upon motion in writing of the complainant, setting forth the required amendment, but without obliterating or altering the original pleading; and if the amendment be allowed, the Defendant, if he require it, may have a further delay to plead to the merits, or for plea and proof as it may be ordered; and if the pleading, in the opinion of the Justice, be so defective either in form or substance, that a legal conviction cannot be based upon it, and be not amended or reformed, the Justice may dismiss the case, the whole with or without costs in his discretion.

IX. Any person examined or called as a witness on any such prosecution shall be bound to answer all questions put to him which are deemed pertinent to the issue, notwithstanding any declaration on his part that his answers may disclose facts tending to subject him to the penalty imposed by the ninth section of the above mentioned Act: Provided that such evidence shall not be used against him in any prosecution under the said section.

X. This Act shall come into force on, from and after the first day of September next, and not before.

C A P . X L V I I .

An Act to amend the Sleigh Ordinances.

[Assented to 10th June, 1857.]

Preamble.

WHEREAS with a view to the more rigorous enforcement of the Sleigh Ordinances of Lower Canada, (3 and 4 Victoria, chapter 25, and 4 Victoria, chapter 33,) it is expedient to confer certain powers in relation thereto, upon the Recorder of the City of Montreal: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

Recorder's Court at Montreal may try Offences against the Sleigh Ordinances.

I. Hereafter it shall be lawful for the Recorder's Court of the City of Montreal to hear, try, and dispose of, in a summary manner, all complaints and informations laid against persons contravening the provisions of the said Ordinances, and summarily to condemn such offenders to such penalties, and the payment of such fines, as are by the said Ordinances prescribed, and the said Court shall also have the same powers with respect to the levying and recovery of the said fines and penalties as are by the said Ordinances conferred upon Justices of the Peace.

II.

II. It shall and may be lawful for any Officer or Constable of the Constabulary or Police Force of the said City to arrest on view any person contravening the provisions of the said Ordinances, or to arrest any person contravening the same immediately or very soon after the commission of the offence, upon good and satisfactory information given; and every person so summarily arrested shall be forthwith conveyed to the City Hall for trial before the said Recorder's Court, if then sitting, or if the said Recorder's Court can be soon thereafter assembled, or if not, that bail may be taken for his appearance at the next sitting of the said Court to answer the charge or plaint preferred against him and for which he may have been so arrested as aforesaid; and to the cases of all persons so arrested the provisions of the eighty-seventh section of the Act passed in the session held in the fourteenth and fifteenth years of Her Majesty's Reign, intituled, *An Act to amend and consolidate the provisions of the Ordinance to incorporate the City of Montreal, and of a certain Ordinance and certain Acts amending the same, and to vest certain other powers in the Corporation of the said City of Montreal*, shall apply as fully and effectually as if persons contravening the provisions of the Ordinance cited in the preamble of this Act were specially mentioned and referred to in the said section.

Policemen may arrest offenders against the said Ordinances, and take them before the Recorder's Court.

Provisions of section 87 of 14, 15 V. c. 128, to apply to such cases.

C A P . X L V I I I .

An Act to amend the Act authorizing the formation of Joint Stock Companies for the construction of Roads in Lower Canada, with a view to encourage the construction of good and useful roads throughout Lower Canada.

[Assented to 10th June, 1857.]

WHEREAS it is expedient to amend the Act twelfth Victoria, chapter fifty-six, intituled, *An Act to authorize the formation of Joint Stock Companies in Lower Canada for the construction of Macadamized roads, and of Bridges and other works of like nature*, with respect to the breadth of land which companies constituted under the said Act are authorized to take under the provisions of second section thereof: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

Preamble.
12 V. c. 56

I. Hereafter, it shall be lawful for any company constituted as aforesaid, to take under and by virtue of the said second section of the above cited Act, a breadth of land not exceeding sixty-six feet English for the purposes of their road in lieu of twenty-eight feet English as therein provided, and such companies shall have the same powers and be subject to the same conditions with respect to such increased breadth of land as are now conferred upon or prescribed to such companies by the Act hereby amended with respect to the breadth of land heretofore authorized to be taken.

Sixty-six feet English may be taken for Roads under the said Act.