

tants; 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.

CAP. XXXIV.

An Act to amend the Law relating to False Pretences.

Procuring signature to a valuable security with intent to cheat—a misdemeanor.

Passed 9th April 1860.

WHEREAS it is expedient to amend the Law relating to False Pretences;—

Be it enacted by the Lieutenant Governor, Legislative Council, and Assembly,—That if any person shall by any false pretence obtain the signature of any other person to any Bill of Exchange, Promissory Note, or any valuable security, with intent to cheat or defraud, every such offender shall be guilty of a misdemeanor, and be imprisoned for a term not exceeding two years, or fined, at the discretion of the Court, or both.

CAP. XXXV.

An Act respecting the apprehension of Criminals escaping from any of Her Majesty's Provinces and Governments in North America into New Brunswick.

Section.

1. Justices of the Peace to endorse proven Warrants for apprehension of criminals escaping from H. M. Provinces in North America: Effect.

Section.

2. Power to convey such prisoners through this Province.

Passed 9th April 1860.

FOR the apprehension of Felons and other Malefactors who having committed crimes in some of Her Majesty's Provinces and Governments in North America, escaping into New Brunswick;—

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

1. If any person against whom a warrant may be issued by the Chief Justice of the Queen's Bench or Supreme Court, or by any other Justice having competent authority in any of Her Majesty's Provinces or Governments in North America, respectively, for any felony or other crime of a high nature, escapes into or is found in any part of New Brunswick, any Justice of the Peace of the County, City, or place, where such person resides or is supposed to be, may upon due proof being made of the hand writing of such Chief Justice or other Justice who issued the warrant, endorse his, the said Justice's name thereon, and such warrant so endorsed shall be a sufficient authority to all persons to whom such warrant was originally

directed, and also to all constables and policemen of the County, City, or place, where such warrant has been so endorsed, to execute the same by apprehending the person or persons against whom such warrant has been granted, and to convey him or them into the Province or Government from which such warrant was originally issued, to be dealt with according to Law.

2. When any person charged with having committed any such felony or crime in any of Her Majesty's Provinces or Governments aforesaid, shall be arrested in any other of such Provinces or Governments, and it may become necessary to convey such person through this Province to the Province or Government in which the crime was committed, the officer in charge of the prisoner shall have the same power to convey him through this Province, as if the said prisoners had been arrested in this Province.

CAP. XXXVI.

An Act in further amendment of the Law relating to Courts of Probate.

Section.

1. Temporary appointment of Judges of Probate in cases of absence, authorized.

Section.

2. Ratification of proceedings by temporary Judges heretofore appointed.

Passed 9th April 1860.

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

1. In the absence from this Province of the Judge of Probates for any County, the Governor in Council may specially appoint some other person in his stead, who shall be sworn to the faithful performance of the duties of his office, and shall have all the powers incident thereto during the absence from the Province of the Judge of Probates for the County for which such temporary appointment is made.

2. All proceedings had and taken, and every matter or thing done according to the law relating to the powers and duties of Judge of Probates, by any Judge of Probate heretofore appointed during the temporary absence from the Province of any Judge of Probate of any County, shall be valid.

CAP. XXXVII.

An Act to amend the Law relating to Divorce and Matrimonial causes.

Section.

1. Jurisdiction of Court of Governor in Council under Act 31 G. 3, c. 5, vested in a Court of Divorce and Matrimonial causes.
2. Appointment of the Judge of such Court.
3. Suits in certain stages transferred.
4. Orders of Court of Governor in Council may be enforced by the new Court.
5. Neglect to appear, &c. may be pronounced a contempt: Writ *de contumace capiendo*.
6. Absolution from contempt and discharge.
7. Power to issue subpoenas.
8. Examination of witnesses.
9. Enforcement of orders by Execution.
10. Practice and proceedings.

Section.

11. Power to make regulations as to practice and procedure, forms and fees.
12. Authenticated orders and decrees, or copies to be evidenced in all Courts.
13. Appeal to Supreme Court allowed.
14. Registrar of Court of Governor in Council to be Registrar of the new Court.
15. Barristers and Attorneys of Supreme Court to be entitled to practice in new Court.
16. Terms.
17. Citations, &c. to be tested in name of the Judge.
18. Repeal of 31 G. 3, c. 5, in part, 4 W. 4, c. 30, 6 W. 4, c. 34, and V. c. 38.
19. Forms in Schedule.
20. Commencement of Act.

Passed 9th April 1860.

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

1. As soon as this Act shall come into operation, all jurisdiction now vested in or exercisable by the Court of Governor in Council, under the authority of an Act made and passed in the thirty first year of the Reign of His late Majesty King George the Third, intituled *An Act for regulating Marriage and Divorce, and for preventing and punishing incest, adultery,*