

An Act to amend the Act to facilitate the performance of certain duties of Justices of the Peace in Lower Canada, with respect to persons charged with indictable offences.

WHEREAS the provisions of the eleventh section of the Act passed Preamble.
 in the session held in the fourteenth and fifteenth years of Her Majesty's reign, intituled "*An Act to facilitate the performance of the duties of Justices of the Peace, out of sessions, with respect to persons charged with*
 5 "*indictable offences,*" have been found in some cases to operate unjustly, and it is expedient to repeal the same and to make other provisions instead thereof: Therefore Her Majesty, &c., enacts as follows:

I. The said eleventh section of the Act first cited in the Preamble of this Act, shall be, and is hereby repealed; and instead thereof, it is enacted,
 10 That the Court to be holden by the Justice or Justices of the Peace as mentioned in the said repealed section, shall be deemed and holden to be an open Court, and the party or parties, person or persons appearing or brought before such Court upon any accusation or charge, shall be admitted
 15 examined or cross-examined by counsel or otherwise; Provided, however, that any two or more Justices of the Peace present, at such Court, and being a majority of all the Justices then present, may in their discretion in cases of a grave character involving the commission of high crimes and misdemeanours, hold such preliminary Court of inquiry with closed doors.

Sect. 11, of 14 and 15 V., c. 96, repealed.

Court to be an open Court.

Proviso: as to grave cases.