

are now used and exercised by any Justices associated under any such commissions, as in the next preceding section mentioned and all trials and proceedings had or taken before them, or any of them, shall be as valid and effectual as if such commissions had issued naming such persons as Associate Justices therein.

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Queen's Coun-
sel associated
Justices of
Courts
Assize, &c.

XXXVIII. And whereas it would greatly conduce to the despatch of business at the Courts of Assize and Nisi Prius, Over Terminer and General Gaol Delivery Sitting in Upper Canada, if Her Majesty's Counsel learned in the law, were associated as Justices in those Courts, Be it enacted, That any person being one of Her Majesty's Counsel learned in the law in this Province, may be an Associate Justice of any such Court for the despatch of civil or criminal business at any County or place, or upon any circuit in Upper Canada, and any such person shall and may be and act as a Judge of such Courts, as fully, to all intents and purposes, as if he were duly commissioned as one of Her Majesty's Judges of the said Superior Courts of Common Law, any law, custom or usage to the contrary notwithstanding.

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Interpretation
clause.

XXXIX. In the construction of this Act, the word "indictment" shall be understood to include "information," "inquisition" and "presentment," as well as indictment, and also any plea or other pleading, and any Nisi Prius record; and the terms "finding of the indictment" shall include also "the taking of an inquisition," "the exhibiting an information" and "the making of a presentment;" and the word "property" shall be understood to include goods, chattels, money, valuable securities, and every other matter or thing, whether real or personal, upon or with respect to which any offence may be committed.

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Forms of in-
dictment may
be as in sche-
dule.

XL. Indictments may be in the following forms in charging the offences to which such indictments severally relate; and in offences not enumerated herein, the said forms shall guide as to the manner in which offences shall be charged, so as to avoid surplusage and the averment of matters not required to be proved.

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Simple Larceny.

County of } The Jurors for our Lady the Queen, upon their oath
to wit: } present, that A. B., on the first day of September, in the
year of our Lord, one thousand eight hundred and fifty-four, at
in the County of , did feloniously steal a gold watch of C. D.

False Pretences.

County of } The Jurors for our Lady the Queen, on their oath
to wit: } present, that A. B., on the first day of September, in the
year of our Lord, one thousand eight hundred and fifty-four, at
in the County of , unlawfully, fraudulently and knowingly, by false
pretences did obtain from one C. D. six yards of muslin, of the goods and
chattels of the said C. D., with intent to defraud.

Embezzlement.

County of } The Jurors for our Lady the Queen, upon their oath
to wit: } present, that A. B., on the day of in
the year of our Lord, one thousand eight hundred and , at
in the County of , being a servant (or clerk) then employed in