

(b) that it does not state who is the owner of any property therein mentioned; or

(c) that it does not specify the means by which the offence was committed; or

(d) that it does not name or describe with precision any person or thing:

Provided that the justice may, if satisfied that it is necessary for a fair trial, order that a particular, further describing such means, person, place or thing, be furnished by the prosecutor.

[2. The description of any offence in the words of the Act, or any order, by-law, regulation or other document creating the offence, or any similar words, shall be sufficient in law.]

NOTE:—See Imperial Act 42 and 43 Vict. (1879) c. 49, s. 39; Regina v. Coulson, 24 Ontario Reports, 247, 249.

Section **872**.—By adding the following paragraph at the end of subsection 1 thereof:—

[“(c) Whenever under such Act or law imprisonment with hard labour may be ordered or adjudged in the first instance as part of the punishment for the offence of the defendant, the imprisonment in default of distress or of payment may be with hard labour.”]

NOTE:—Suggested by Mr. Pelton, Q.C., of Yarmouth, N.S.

**916**.—By striking out the first five lines of subsection 2 and substituting the following therefor:—

“2. If such court is a superior court having criminal jurisdiction one of such rolls shall be filed with the clerk, prothonotary, registrar or other proper officer.

[ (a.) In the Province of Ontario, of the High Court of Justice.”]

NOTE:—The section as it now stands needs this alteration because the “divisions” of the High Court have been for practical purposes abolished.

Section **927**.—By substituting the following therefor:—

“**927**. Whenever no other provision is made by any law of Canada for the application of any fine, penalty or forfeiture imposed for the violation of any such law or of the proceeds of an estreated recognizance, the same shall be paid over by the magistrate or officer receiving the same to the Treasurer of the Province in which the same is imposed or recovered, to be by him paid over to the municipal or local authority, if any, which wholly or in part bears the expenses of administering the law under which the same was imposed or recovered, or to be applied in any other manner deemed best adapted to attain the objects of such law and secure its due administration, except that—

(a) all fines, penalties and forfeitures imposed in respect of the breach of any of the revenue laws of Canada, or imposed upon any officer or employee of the Government of Canada in respect of any breach of duty or malfeasance in his office or employment, and the proceeds of all recognizances estreated in connection with proceedings for the prosecution of persons charged with such breaches or malfeasance, and

(b) all fines, penalties and forfeitures imposed for whatever cause in any proceeding instituted at the instance of the Government of Canada or of any department thereof in which