

LA REVUE DE JURISPRUDENCE

DISTRICT OF SAINT FRANCIS

**Criminal law. — Form of Indictment. — Evidence. —
Examination of witnesses. — Trial. — Criminal Code,
arts. 210, 215, 232, 611.**

COURT OF QUEEN'S BENCH, Sherbrooke, October, 1897.
(CROWN SIDE)

Present : HON. JUSTICE CURRAN.

THE QUEEN,

vs.

THOMAS LAPIERRE, and REBECCA ROY.

HELD : 1st. That irrelevant facts, although of the same nature as those forming the basis of an indictment, cannot be put in evidence by the Crown to fortify the testimony in support of the charge laid.

2nd. That a witness in cross-examination cannot be questioned upon facts foreign to the issue for the mere purpose of contradicting him later. The answer of a witness regarding such foreign facts is final and conclusive and witnesses in rebuttal will not be heard on such facts.

3rd. That an indictment is not bad because it is multifarious, and that it cannot be considered misleading, when the Court has instructed the jury as to the count upon which they are to try the prisoners.

The prisoners were indicted at Sherbrooke in the District of St. Francis, as follows :

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