

[5.] Save as aforesaid no bill of indictment shall after the commencement of this Act be preferred in any province of Canada.

Section 680.—By substituting the following therefor:—

“680. When the attendance of any person confined in any prison in Canada, or upon the limits of any gaol, is required in any court of criminal jurisdiction in any case cognizable therein by indictment, the court before whom such prisoner is required to attend may, or any judge of such court or of any superior court or county court, [or any chairman of General Sessions,] may, before or during any such term or sittings at which the attendance of such person is required, make an order upon the warden or gaoler of the prison, or upon the sheriff or other person having the custody of such prisoner,—

(a.) to deliver such prisoner to the person named in such order to receive him; and such person named shall, at the time prescribed in such order, convey such prisoner to the place at which such person is required to attend, there to receive and obey such further order as to the said court seems meet; or

[(b.) to himself convey such prisoner to such place, there to receive and obey such further order as to the said court seems meet; and in such case, on being served with the order and being paid or tendered his reasonable charges, such warden, gaoler, sheriff or other person shall convey the prisoner to such place and produce him there according to the exigency of the order.”]

Section 687. By substituting the following therefor:—

“687. If upon the trial of an accused person [such facts are] proved upon the oath or affirmation of any credible witness that [it can be reasonably inferred therefrom] that any person whose deposition has been taken in the investigation of any charge is dead or so ill as not to be able to travel or is absent from Canada, and if it is proved that such deposition was taken in the presence of the person accused and that he, his counsel or solicitor, had a full opportunity of cross-examining the witness, then if the deposition purports to be signed by the judge or justice before whom the same purports to have been taken, it shall be read as evidence in the prosecution without further proof thereof unless it is proved that such deposition was not in fact signed by the judge or justice purporting to have signed the same.

[(2) In this section the word “deposition” includes the evidence of a witness given at a trial.”]

Section 702.—By substituting the following therefor:—

“702. When any cards, dice, balls, counters, tables or other instruments of gaming used in playing any unlawful game are found in any house, room or place suspected to be used as a common gaming house, and entered under a warrant or order issued under this Act, or about the person of any of those who are found therein, it shall be *prima facie* evidence, on the trial of a prosecution under section 198 [or section 199,] that such house, room or place is used as a common gaming house, and that the persons found in the room or place where