

CAP. V.

Expired.

An Act for raising a revenue.

CAP. VI.

Repealed by
24 Vic., c. 10.

An Act to regulate the mode of summoning grand and petit jurors, and to provide remuneration for petit jurors.

CAP. VII.

Repealed by
25 Vic., c. 2.

An Act relating to the highways in Charlottetown common and royalty, and certain other parts of Queen's County, and to the performance of statute labor and the expenditure of public money therein.

CAP. VIII.

See 6 W. 4, c.
21, and 6 W. 4,
c. 22.

An Act for further improving the administration of criminal justice.

[Passed April 16, 1853.]

WHEREAS offenders frequently escape conviction on their trials by reason of the technical strictness of criminal proceedings, in matters not material to the merits of the case: and whereas such technical strictness may safely be relaxed in many instances, so as to ensure the punishment of the guilty, without depriving the accused of any just means of defence: and whereas a failure of justice often takes place on the trial of persons charged with felony and misdemeanor, by reason of variances between the statement in the indictment on which the trial is had, and the proof of names, dates, matters, and circumstances therein mentioned, not material to the merits of the case, and by the misstatement whereof, the person on trial cannot have been prejudiced in his defence: Be it therefore enacted, by the Lieutenant Governor, Council and Assembly, as follows:

The Court may amend certain variances, not material to the merits of the case, &c.

I. From and after the passing of this Act, whenever on the trial of any indictment for any felony or misdemeanor, there shall appear to be any variance between the statement in such indictment, and the evidence offered in proof thereof, in the name of any county, division, city, borough, town corporate, parish, township or place mentioned or described in any such indictment, or in the name or description of any person stated or alleged to be the owner of any property, real or personal, which shall form the subject of any offence charged therein, or in the name or description of any person therein stated or