

Making or
having explo-
sives without
reasonable
and lawful
clause.

Burden of
proof on ac-
cused.

Accused and
his wife, or
vice versa,
may be wit-
nesses, if he
thinks fit.

Attorney
General's
consent for
proceedings
beyond the
information.

Same Act may
be laid as a
different
offence in dif-
ferent counts
of indictment.
Prosecutor
not obliged to
elect.

Venue, &c.

Attorney
General may
order inquiry.
Jurisdiction
of a Justice of
the Peace
under such
order.

32-33 V., c. 30,
ss. 25, et seq.,
applicable to
witnesses in
cases under
this Act.

Witness may
not refuse to
answer on
ground of self

5. Every person who makes or knowingly has in his possession or under his control any explosive substance under such circumstances as to give rise to a reasonable suspicion that he is not making it or does not have it in his possession or under his control for a lawful object, is, unless he can show that he made it or had it in his possession or under his control for a lawful object, guilty of felony, and liable to seven years' imprisonment. 5

2. In any proceeding against any person for any offence under this section such person and his wife, or her husband, 10 as the case may be, may, if such person thinks fit, be called, sworn, examined, and cross-examined as an ordinary witness in the case. 46 V., Imp., c. 3, s. 4.

3. If any person is charged before a justice of the peace with any offence under this section, no further proceeding 15 shall be taken against such person without the consent of the Attorney General, except such as the justice thinks necessary by remand or otherwise, to secure the safe custody of such person. 46 V., Imp., c. 3, s. 7 (1.)

6. The same criminal act may be charged in different 20 counts of an indictment as constituting different offences under this Act, and upon the trial of any such indictment the prosecutor shall not be put to his election as to the count on which he must proceed. 46 V., Imp., c. 3, s. 7 (2.)

7. Every person accused of any offence under this Act 25 may be dealt with, indicted, tried and punished in the district, county or place in which the offence is committed or in which he is apprehended, or is in custody.

8. If the Attorney General has reasonable ground to believe that any offence under this Act has been committed, 30 he may order an inquiry, and thereupon any justice of the peace for the district, county or place in which the offence was committed or is suspected to have been committed, who is authorized in that behalf by the Attorney General, may, although no person is charged before him with the 35 commission of such crime, examine on oath concerning such crime any witness appearing before him, and may take the deposition of such witness, and, if he sees cause, may bind such witness by recognizance to appear and give evidence at the next court of competent jurisdiction, or when called upon 40 within three months from the date of such recognizance; and the law relating to the compelling of the attendance of a witness before a justice of the peace, and to a witness attending before a justice of the peace and required to give evidence concerning the matter of an information or com- 45 plaint, shall apply to compelling the attendance of a witness for examination, and to a witness attending under this section.

2. A witness examined under this section shall not be excused from answering any question on the ground that 50 the answer thereto may criminate, or tend to criminate, him.