

Queen's Bench to give judgment, it shall give judgment at the then next session thereof.

Judgment of
Q. B. to be
delivered in
open Court,
&c.

XXV. The judgment of the Court of Queen's Bench in any such case as aforesaid, shall be delivered in open Court, after hearing Counsel or the parties, in case the prosecutor or the party convicted shall think it fit that the case be argued, and in like manner as other judgments of the said Court on the Appeal Side, but no notice, appearance or other form of procedure, except such only, if any, as the Court may in such case see fit to direct, shall be requisite.

Q. B. may
send back the
case for amend-
ment.

XXVI. The Court of Queen's Bench, when a case has been so reserved for its opinion, shall have power, if it see fit, to cause the case or certificate to be sent back for amendment, and thereupon the same shall be amended accordingly, and judgment shall be delivered after it shall have been amended.

Q. B. revers-
ing a judgment
to pronounce
the proper one,
&c.

XXVII. Whenever any Writ of Error shall be brought upon any judgment on any indictment, information, presentment or information in any criminal case, and the Court of Queen's Bench shall reverse the judgment, the said Court may either pronounce the proper judgment, which shall be executed as the judgment of the Court below, or may remit the record to the Court below, in order that such Court may pronounce the proper judgment.

May order new
trial in cer-
tain cases.

XXVIII. If in any criminal case either reserved as aforesaid or brought before it by Writ of Error, the Court of Queen's Bench shall be of opinion that the conviction was had from some cause not depending upon the merits of the case, it may by its judgment declare the same, and direct that the party convicted be tried again, as if no trial had been had in such case.

Forging cer-
tificate, &c.,
under forge-
ing clauses, to
be felony.

XXIX. Whoever shall forge or alter, or shall offer, utter, dispose of or put off, knowing the same to be forged or altered, any certificate or certified copy of any certificate, required or authorized by the next preceding sections, with intent to cause any person to be discharged from custody, or otherwise prevent the due course of justice, shall be guilty of felony, and being convicted thereof, shall be liable, at the discretion of the Court, to be imprisoned in the Provincial Penitentiary for any period not more than seven nor less than three years.

COURT OF QUEEN'S BENCH—CROWN SIDE.

Section 33 of
12 V. c. 37
repealed; and
any Judge of
the Superior
Court may
hold any

XXX. The thirty-third section of the said Act of 1849, chapter 37, is hereby repealed; and any one of the Judges of the Superior Court may hold any term or sitting of the Court of Queen's Bench, for the exercise of the original criminal jurisdiction of that Court, and shall have all the powers of a Judge thereof and of the Court in the exercise of the said jurisdiction;

jurisdiction
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